



PHD

Democratic Practice and Policymaking at the Regional Level in Europe, Testing the Gender and Diversity Agenda

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Democratic practice and policymaking at the regional level in Europe, testing the gender and diversity agenda

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June 2014

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ABSTRACT

This thesis explores whether and how the substantive representation of women has been enabled or constrained by specific features of the gendered institutional context during domestic abuse policy development in two new regional legislatures, in Wales and in Tuscany.

The thesis uses a sociological institutionalist approach to explore the involvement of civil society women's organisations in the everyday processes of domestic abuse policy development across the case study regions. Both regions are structured by uniquely advanced formal rules committing to the inclusion of civil society organisations and to the value of gender equality. A critical discourse analytic approach is used to investigate how pre-existing informal norms and discursive frames interact with these formal rules in shaping actors' behaviour and the policy solutions proposed to tackle domestic abuse.

Feminist political science scholars have hypothesised that changes in the political environment across the European Union, including decentralisation and the devolution of power to the sub-national level, have generated new institutions which may provide greater opportunities for actors making claims for women to participate in the policy process and to influence its outputs, thus improving the substantive representation of women. However, this thesis argues that in the case of domestic abuse policy development, new formal rules making a symbolic commitment to the inclusion of new actors in governing processes were often undermined by tenacious informal norms. Women's organisations that were better equipped to play by pre-existing informal rules were more likely to be included.

This thesis makes a contribution to theory-building in the field of feminist political science through an exploration of the nuanced effects of new governing structures on the participation of value-driven women's organisations in policy development. It shows how gendered, culturally dominant discursive frames and wider, pre-existing norms shaping perceptions of appropriate behaviour can affect women's organisations' opportunities for action in the policy process, and their capacity to influence outputs

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LIST OF ABBREVIATIONS

ACPO – Association of Chief Police Officers
AM – Assembly Member
BAWSO – Black Association of Women Step Out
BME – black and minority ethnic
CAFCASS- Children and Families Court Advisory Service
CDA – critical discourse analysis
CoPAS – Permanent Congress of Social Organisations
CPS – Crown Prosecution Service
CRPO – Regional Equal Opportunities Committee
DASU – Domestic Abuse Safety Unit
DC – Christian Democrat Party
EOC – Equality of Opportunity Committee
EPAC VAW – European Policy Action Centre on Violence Against Women
EU – European Union
EVAW – End Violence Against Women
EWL – European Women’s Lobby
FPS – feminist political science
IRHP – Integrated Regional Health Programme
IRSP – Integrated Regional Social Programme
ISTAT – Italian National Institute for Statistics
LN – Northern League Party
MEWN – Minority Ethnic Women’s Network
MLG – multi-level governance
NAW – National Assembly for Wales
NHS – National Health Service
NIA – Northern Ireland Assembly
NGO – non-governmental organisation
PCI – Italian Communist Party
PSI – Italian Socialist Party
SRW – substantive representation of women
TOSCA – Coordinating Authority for Anti-Violence Groups in Tuscany
TSPC – Third Sector Partnership Council

UDI – Italian Women’s Union

VAW – violence against women

WAG – Welsh Assembly Government

WI – Women’s Institute

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INTRODUCTION

This thesis aims to examine the overarching question of whether and how the substantive representation of women (SRW) is enabled or constrained by specific features of a legislature's institutional context. Scholars in the field of feminist political science (FPS) have long sought to explain and understand why it is that women are under-represented in the formal political sphere, arguing that the presence of women's bodies, voices and views in decision-making structures matters for reasons of justice and legitimacy, and also in order to achieve policy outcomes which can help to transform women's inequality in wider society. Most recently, FPS scholars have turned to examine the creation of new political institutions – particularly at the sub-national level – governed by new formal rules which promote gender equality and the inclusion of outsider, civil society actors, contending that they may offer the opportunity for the 're-gendering' of the formal political sphere (Chaney, Mackay and McAllister, 2007; Mackay, 2010; Sawer and Vickers, 2010).

FPS scholars assert that the changes in governing structures that we have seen as processes of decentralisation and devolution of central state power – phenomena which have also been examined by governance scholars – offer up the possibility for actors making claims for women to be included in the policy process, challenging, and potentially transforming, pre-existing, gendered unequal patterns of power and resource distribution. But have these processes of institutional change really enable such wide-ranging opportunities to improve the SRW, and if so, under what circumstances, and in which ways? Or is the reality more nuanced, and if so, what obstacles still stand in the way of new actors wishing to engage in the policymaking process, and to influence its outputs, and how might they be overcome? These are wide-ranging questions, which are too broad for me to examine in this thesis, I undertake a more targeted exploration of the claims in the FPS literature through a comparative empirical study of the participation of feminist women's organisations in the domestic abuse policy process, and their influence over policy outputs, across two case studies, new regional assemblies in Wales and Tuscany. My research questions examine whether and how gendered formal rules, informal norms and discursive structures, and the nature of relationships between relevant actors enabled or constrained the participation of civil society women's organisations in the domestic

abuse policymaking process, and their influence over policy outputs. The thesis is in two parts: the first sets out the theoretical, conceptual and methodological framework for the study; and the second presents, analyses and compares empirical data from both case studies in order to draw conclusions. My aim is to provide data and analyses to answer these questions in order to make a contribution to theory-building in the field of FPS, and also a practical contribution to policymakers and women's organisations, too.

Chapters 1, 2 and 3 comprise the first part of my thesis. In chapter 1, I explore the concepts of sex, gender and substantive representation, seeking to explain why and how FPS scholars assert that changes in political architecture matter in terms of both the process of representing women's specific interests and issues in the formal political sphere, and also the policy outputs of this process and their capacity to address women's structural inequality. I explore the literature on factors affecting the representation of women's issues in the policy process, and highlight how informal rules and norms of formal political institutions have historically marginalised both the presence of women's bodies and the representation of their interests. I explain how it is this embedded culture of exclusion that makes new institutions and the new opportunities they offer so interesting to those working in the field of FPS. I contend that new institutions are nested in a context of pre-existing informal, cultural, discursive and normative factors through which new formal rules which make a symbolic commitment to inclusion and equality are mediated. I review the literature on sociological institutionalism in order to set out a systematic framework for my empirical exploration of these complex interactions between the old and the new, and how they enable or constrain opportunities for action. Finally I set out my research questions.

In chapter 2 I review some of the governance literature which sets out the changes and transformations in governing processes that have occurred over the past twenty years or more across the European Union (EU) and which provide insights for my study. I examine the consequences of these shifts in terms of the new opportunities they present for civil society actors to engage with the policymaking process, and problematise the idea that civil society organisations can be, and are, treated as value-neutral participants with equal influence over policy outputs. I point to the particular value for some of this scholarship for the field of FPS, where studies on the SRW are

explicitly focused on women's organisations that are inherently value-driven, not value-neutral. I then move on to explain my case study selection of the Tuscan and Welsh new regional assemblies as critical cases that have made a strong symbolic commitment to inclusion and equality in their formal rules, and therefore manifest many of formal structures and normative values identified as providing opportunities for the improved SRW in the FPS literature.

In the chapter 3, I set out my research design and methodology, providing a systematic framework for the empirical section of the thesis which is tied to the research questions I explore. I explain and justify my selection of domestic abuse policy development as a policy case study. I also discuss and evaluate the research methods I use, and provide a detailed account of the fieldwork I conducted to collect the data used for my analysis.

Chapters 4, 5, and 6 comprise the second, empirical part of the thesis. In chapter 4, I explore the informal, cultural structures and discursive frames shaping the representations of domestic abuse adopted in the policy process by women's organisations and actors inside the assemblies, in order to identify whether and how these elements of the institutional context constrained or enabled the use of particular representations and discursive frames. I find that although all women's organisations in Tuscany and most women's organisations in Wales adopt a gendered representation of domestic abuse, the dominant discursive frame adopted in both assemblies in discussions on domestic abuse was gender neutral.

In chapter 5, I move on to explore the effects of formal and informal rules on actors' opportunities to make claims based on these representations during the policy formulation process. I find here that across both cases actors' choices and actions have been shaped not only by material factors, such as resource and time constraints, they have also been shaped by cultural factors, that is to say what behaviours other actors perceive as appropriate, the ways in which they are 'used to' working, and what their role expectations are for themselves and others.

In chapter 6, I analyse the outputs of the decision-making processes considered in chapter 5, that is to say the policies that were actually adopted in both regions. I find

that certain women's organisations' failure to understand or play by the informal rules of engagement has resulted in their perspectives being excluded from policy, even where they have participated in consultations. I point to examples of where this exclusion has the potential to have damaging real world effects on the lives of women in the region who are suffering from domestic abuse, highlighting how the closing down of space for women's organisations to participate in the policy process and to influence its outputs has consequences for the SRW. Finally, in chapter 7, in which I present my final discussion and conclusions, I reflect on some of the ways in which this situation could be changed, in addition to considering the methodological and theoretical implications of my findings.

CHAPTER 1. THE SUBSTANTIVE REPRESENTATION OF WOMEN: WHY INSTITUTIONS MATTER

1.1. Introduction

In this chapter I set the context and conceptual framework for the empirical investigation this thesis undertakes. I first explore the feminist political science (FPS) literature on sex, gender, and the (under-)representation of women in the formal political sphere before moving on to discuss recent shifts in the formal and informal institutions structuring the political environment, and why they matter in opening up or closing down opportunities for actors seeking to substantively represent women. I draw attention to areas that remain under-researched, in particular how the introduction of new formal rules is mediated by and through pre-existing informal institutions, and how this interaction enables or constrains opportunities for action. From this analysis of the literature I go on to detail my research questions. Finally, I establish a working theoretical framework for sociological institutionalism as the basis for the empirical investigation I undertake in the second half of my thesis.

1.2. Sex, gender and the under-representation of women in the formal political sphere

The under-representation of women in the formal political sphere is, by now, a well-documented phenomenon. Particularly over the past twenty years or more, feminist political scientists have addressed the issues through focusing on women's 'relative exclusion' from formal political life, emphasising that sex and gender are fundamental to any understanding of politics (Mackay, 2004).¹ More recently, drawing on new institutionalist approaches, scholarly work exploring women's representation in the formal political sphere has taken an 'institutionalist turn' (Mackay and Waylen, 2009). Scholars in the field have called attention to the role institutions play as organisers of the polity: they are responsible for the allocation and (re)distribution of resources, and order how power and authority are constituted and exercised, legitimated and controlled. In effect, they set the 'rules of the game' structuring the political, social and economic environment (Chappell and Waylen, 2013). They also provide models, norms and codes of behaviour which affect how political actors are enabled or

¹ This project views the two concepts as distinct yet related. Though gender is usually used to refer to social constructions of masculinity and femininity, and sex to the biological distinction between men and women, bodies too are socially interpreted, and as a result sex cannot be separated from gender, but is subsumed by it. See Lovenduski, 1998, for a full discussion.

constrained, opening up or closing down opportunities for women's bodies, voices and issues to be represented.

For the most part, the primary concern of scholars in the field of FPS working on questions of state restructuring has been to interrogate how transformation is gendered, and in turn how this affects opportunities for the substantive representation of women's interests in formal political institutions (mostly legislatures). Scholars in the field are working from a normative perspective, and most are seeking to advance opportunities not only for actors making feminist claims to be heard, but for their claims to affect change. It is likely self-evident that I have the same aim in mind with this project, but in the interests of transparency and self reflexivity it bears acknowledgement here. My research represents a (modest) contribution to the FPS literature and wider project, as my conclusions focus on opportunities and constraints for the substantive representation of women (SRW), in particular through women's organisations, in the policymaking process.

FPS scholars have long highlighted that formal political institutions are structured by formal rules and informal values and norms which are gendered, and these affect how representation happens in the every day. As Joni Lovenduski explains:

[p]olitical institutions are... gender regimes with distinctive ideologies of how men and women should act, think, and feel. They control access to resources and affect the availability of alternatives to their gendered ideologies. They affect the way political representation works in practice. (2005: 26)

Formal political institutions have been designed and have evolved in a context or 'gender order' (Connell, 1987) where men have historically occupied positions of power more so than women, and where embedded gender bias tends to privilege those characteristics associated with men or masculinity, and not those associated with women or femininity. Examples of the former would be logic, rationality and autonomy, whilst examples of the latter would be emotion, irrationality and passivity (ibid; Lovenduski, 2005; Chappell and Waylen, 2013). This gender bias reproduces wider 'patterned socially produced distinctions between male and female, feminine and masculine' (Acker, 1992: 568). The notion that these distinctions are socially produced,

and not essential, biological characteristics of men or women is important for our understanding of the relationship between sex and gender. As Chappell and Waylen explain, 'gender norms do not determine that women will act in a feminine way or men the reverse' (2013: 601). Rather, they prescribe expectations about the types of behaviour that are appropriate for men and for women and the types of behaviour that are valued within institutions (ibid).

To explore the effects of this wider gender order, scholars in the field of FPS have long studied women's representation in formal political institutions, focussing on its formal, substantive, symbolic and especially descriptive dimensions. This model of the concept was developed by Hanna Pitkin in her pioneering work *Representation* (1967). Pitkin is careful to point out that each of these four features represents an integral part of a complete picture and as such they are all inter-linked – although she does go on to place more emphasis on some dimensions than others. Formal representation is defined in terms of 'the giving and having of authority' where 'a representative is someone who has been authorised to act' (ibid: 38-9). She contends that although this is a necessary dimension to representation – after all, there must be some formalisation of the relationship between representatives and the represented at the very least, so the responsibilities of each are clear – since all acts are considered as representation, it says nothing about the quality of interventions made by those selected to represent (ibid; Celis et al, 2008; Schwindt-Bayer and Mishler, 2005). Descriptive representation, too, according to Pitkin fails to focus on the activities of the representatives, instead focusing as it does on the composition of a representative assembly.² This becomes problematic when questions of accountability are raised, given that it is difficult, if not impossible, to hold representatives to account for who they are as opposed to what they have done (Celis et al, 2008; Pitkin, 1967)³.

Next, Pitkin contends that symbolic representation is about 'standing for': it is again not focused on what representatives do, but 'how they are perceived and evaluated by those they represent' (Schwindt-Bayer and Mishler, 2005: 409). According to Pitkin, a

² There are two main variants of descriptive representation: occupational, whereby the selection of representative is tied to their similarity in occupation to the voter; and social, whereby the representative's identity is taken into account. Frequently discussed in relation to either is the concept of 'mirror' representation, see Mansbridge, 1999 and Dovi, 2002 for a full discussion.

³ See Phillips, 1991: 91

symbol is defined as 'the recipient or object of feelings, expressions of feeling, or actions intended for what it represents' (1967: 99). The symbol itself, then, may be arbitrary and have little tangible meaning when viewed in isolation. But it is not the symbol itself that matters, rather how powerfully it can evoke particular attitudes and beliefs in or of the represented in order to elicit action. She gives the example of the sight of an American flag, a symbol which does not inspire pride in the patriot as a result of its 'accurate resemblance to the United States' but because of the perceived connection between the two (ibid: 98). If we then conceive of the relationship between the represented and the representative as a two-way interaction, we can see that one major disadvantage of this form of representation is its openness to manipulation by representatives (ibid; Celis et al, 2008). As Pitkin explains, symbols do not always already exist in and of themselves, there is 'no rational justification of symbolic connection'; there must instead be a process of 'symbol-making... of manipulating affective responses and forming habits' (1967: 101).

In the field of FPS a great deal of work has been done in particular on women's descriptive or numeric representation in formal political institutions, and to a lesser extent on women's symbolic representation, exploring questions around increasing women's presence in political institutions, including the effects of quotas and other positive action mechanisms, and also around role model effects (Wolbrecht and Campbell, 2007). It has often been the case that where women's presence within institutions has increased, so various expectations for them to transform the nature of politics and the way it is done as well as 'making a difference' to women through changes in policy outputs have grown. This argument is based upon the logic that enhancing participation of the under-represented group will improve the effectiveness of policy. In the popular media particularly, women representatives have been 'frequently either credited with bringing significant changes in policy that are supportive of women's traditional family roles, or blamed for not doing so' (Lovenduski, 2005: 3).⁴ The uncomplicated assumption that more women will automatically drive change within institutions and shift policy agendas underpins this kind of attitude. Within scholarship, critical mass arguments – which are based on the logic that once the

⁴ As Phillips points out, to expect this kind of transformation is to charge women with 'a special mission beyond party lines', an expectation that they will represent women even in opposition to their party (1991: 74). This is surely in tension with traditional conceptions of accountability as tied to party political programmes and ideals upon which voters base their choices.

number of women within a particular political environment reaches a certain threshold, things will change – in their various incarnations and (mis)appropriations have tended to espouse the same general assumption (Childs and Krook, 2006a; Childs and Krook, 2006b).

More recently, the entry of significant numbers of women into political institutions at various levels across Europe has fundamentally challenged these expectations and the assumptions they are based on. Where once before critical mass arguments were used to hypothesise on what ‘would’ happen should there be an influx of women into the political arena, now that we are confronted with the mixed results in reality, we can be sure that as Fiona Mackay puts it, ‘whatever is going on, it is too complex and messy to be captured by simplistic notions of critical mass’ (2004: 108).⁵

Women’s (under)representation is clearly a much larger issue, which brings to bear challenging questions about how institutions structure the distribution of power and resources, and produce and reproduce inequalities (Fraser, 1995; Phillips, 1996; Young, 2000). Yes, in many European countries a context of decentralisation and institutional restructuring appears to have paved the way for sizeable increases in women’s presence in ‘new’ local, regional and supranational institutions. But at the national level there have not always been such marked changes. In the UK, for example, while women’s representation in the devolved Welsh Assembly and Scottish Parliament has reached (or indeed exceeded in the case of the former) near parity levels, the Northern Ireland Assembly (NIA) and Westminster Parliament still lag far behind, with women constituting less than one in four members (Childs, 2008; Lovenduski, 2005; Mackay, 2004). Furthermore, we are presented with a similarly mixed picture when we consider women’s representation not just in terms of raw numbers, but also in terms of the development and implementation of ‘women-friendly’ policy outputs, which reflect the particular issues faced by women as a structural social group, their needs and interests (Mackay, 2008; Young, 2000). A brief survey of the very varied policy responses (or lack thereof) to violence against women and domestic abuse in stable European democracies – and even within their sub-state units as in

⁵ For a selection of recent studies which show very different results regarding the successful inclusion of women and changes to the political process see Chaney, Mackay & McAllister, 2007; Cowley & Childs, 2003; Grey, 2002; Kathlene, 1998; Murray, 2004.

different devolved administrations in the UK – is highly illustrative of this (Mackay 2008; Weldon, 2002).

1.2.1. The substantive representation of women

Given this mixed empirical picture, scholars in the field have recently turned to focus more closely on the fourth strand of Pitkin's model, that is to say substantive representation, and begun to develop the concept of the SRW in order to generate space to explore and theorise on not only the presence of women in formal political institutions, but also on their actions as representatives and their effect on policy outputs. Whilst Pitkin maintains the importance of formal, descriptive and symbolic representation as parts of a conceptual whole, it is the substantive dimension that she places as the foundation of the model, viewing it as 'centred on the activity of representing' (1967: 112). She sees substantive representation as a relationship whereby the representative is governed by the represented, and must respond to their needs and interests. When we examine substantive representation, we are 'interested in the nature of the activity itself, what goes on during representing, the substance or content of acting for others, as distinct from its external or formal trappings' (ibid: 114). This in turn tends to take one of two forms: representative as delegate, or representative as trustee. In her view, delegates lack independence and act on a mandate given to them by the represented which instructs them as to what to do; trustees, on the other hand, act independently when empowered by the represented to do so (ibid).

Recently, however, several scholars have criticised Pitkin's work on a conceptual level, for both its static foundation and its focus on individual representatives (Saward, 2006; Weldon, 2002a). Laurel Weldon has argued that scholarship on women's and other minority groups' under-representation has tended to conceptualise 'representation as the presence or behaviour of individual women or minority legislators or bureaucrats' (2002a: 1154). Whether they focus on descriptive, substantive or symbolic representation, or all three, as delineated by Pitkin's definition, studies are apt to examine the presence of the bodies of individual legislators, and the actions these bodies undertake. Weldon, however, advocates a switch to examining multiple sources of representation, including wider institutional structures in civil society, like women's movements and women's organisations, in addition to, or even in the place of,

individual representatives. To focus on individuals, she argues, is to assume that they are capable of standing or acting for women as a marginalised group as a whole. This assumption not only falsely ascribes homogeneity to what is quite clearly a heterogeneous group, but it also limits research and theorising on other, potentially 'more effective means for the articulation of the group's perspective' (ibid, 2002a: 1155). Weldon's argument is based upon the same theories that have inspired calls for women's presence as legislators in political institutions, for example those of Phillips and Young, that assert women's distinctive perspective as members of a historically marginalised group. Yet, if scholars wish to avoid critiques of essentialism, they must be wary of suggesting that any individual woman is able to represent all women on the basis of her own personal experiences. We encounter a fundamental epistemological difficulty when lone individuals are assumed to be able to represent a group's perspective, which, Weldon points out, is a collective phenomenon (ibid, 2002a).

Though her approach has the potential to call into question a significant proportion of the existing empirical work on women's representation, it is certainly worth noting that she shares the same theoretical perspectives regarding arguments for self-representation of marginalised groups that have influenced it. Her suggestion, put simply, is that we have no reason to assume a causal link between the inclusion of a greater number of women's bodies and any significant increase in the SRW. She concedes that the entry of individual women representatives into legislatures may lead to some advances in substantive representation, but stands by her view that 'the individual alone cannot effectively articulate [the group] perspective' (ibid: 1158). According to Weldon, then, any research on women's representation must examine internal and external institutional sources of representation, such as women's policy agencies and the women's organisations as a part of wider women's movements (ibid).⁶

Many of Weldon's contemporaries note both the theoretical and empirical significance of her work as research which seeks to capture and unravel the complexity of what is happening in representation. However, Mackay points out that she may have been too quick to dismiss individual representatives and legislatures as sites for representation

⁶ In advocating these ideas, Weldon's theories inter-link with much of the literature on state feminism. See Outshoorn & Kantola, 2007 for a discussion on state feminism.

for two reasons (2008). First, Mackay suggests that there is a significant body of empirical work demonstrating the importance of individual 'women and feminist legislators as "critical actors", "feminist champions" and individual or collective policy or norm "entrepreneurs" in effecting change' (ibid: 129).⁷ Second, and most interestingly given the current absence of nuanced empirical evidence, Mackay contests that Weldon has failed to consider the more interactive functions of representation, including any possible connections and relationships (formal or informal) that individual women representatives might have with their constituents and women's organisations more generally (ibid). I seek to further develop these contestations in this thesis, which analyses the function of both legislators and women's organisations in the policy process and its outputs in terms of the SRW.

Weldon's ideas are also consistent with Michael Saward's recent critiques of Pitkin's model, in which he argues that we must look past individual legislators as the sole source of representative claims. What both Saward and Weldon are suggesting is that there are multiple claim-makers in the process of women's representation, and multiple possible sites and processes whereby it can take place. Saward's critique unpicks Pitkin's view of representation as a given, something that is always already in existence, exposing it as a uni-directional approximation of a dynamic concept. He instead argues that representation is a much more creative process based on claims-making where the representative has a central role to play in defining the interests of the represented, thus challenging the trustee-delegate model upon which Pitkin's conceptualisation is based. Although it is certainly true that the represented have a role to play in selecting their representatives, Saward contends that this relationship is reciprocal, as representatives too "choose" their constituents in the sense of portraying them or framing them in particular, contestable ways' (2006: 301-2). Where Pitkin's model sees representation as a self-evident thing, related to facts, Saward takes a post-structuralist approach and argues that there is a performative aspect of political representation: someone has to make it happen, as 'representation is not something external to its performance' (ibid: 302). From this perspective, a creative

⁷ See Chaney, Mackay & McAllister, 2007, for a discussion on feminist champions, see Dahlerup, 1988; Childs & Krook, 2009 for discussions on critical actors, see Chappell, 2002 & 2006; Kingdon, 1984 for a discussion on policy entrepreneurs. Further discussion on actors and institutional change follows in this chapter.

process of claims-making becomes central to representation. The makers of claims (representatives) may use them to invoke specific audiences and these claims may be received or disputed. In turn, these claims may empower audiences, promoting inclusion, or silence others, encouraging exclusion of particular groups: the claims do not, however, appear out of thin air, as it were, and as such the process relies on a two-way relationship between the representative and the represented (ibid).

Saward's critique is timely, in that it opens up space to re-examine who we see as 'representatives'. Whereas Pitkin's work would lead us to concentrate entirely on elected legislators, Saward instead contends that representative claims can be made by a wide variety of actors, from NGO and lobby group figures to celebrities and politicians (2006). This has serious implications for empirical work on women's representation, which, as I have indicated above, until recently has tended to focus on the formal institutions of political representation and their individual members (Celis et al, 2008). There is, of course, a body of work which looks at women's organisations as part of wider women's movements, examining them as an alternative institutional source of women's substantive representation. With the term 'women's movements', I am referring to informally organised groups of actors publically making claims for changes in 'the distribution or exercise of power' on behalf of women, precisely because women lack formal representation in established political institutions (Tilly, 1984: 306; Weldon: 2002b).⁸

But the SRW need not, however, be most successfully pursued through one set of institutions or another, and indeed there is some recent research to suggest that it is most successfully pursued where there is good interaction between both formal political institutions and women's organisations in wider civil society (Holli, 2005; Woodward, 2003). Taking into account the discussion above, there is certainly room for further research in this area which seeks to explore in greater depth the institutional context of these interactions, and what effect these relationships (or lack thereof) have on outputs in terms of constraining or enabling the SRW. Gaps remain in current theorising regarding how existing relationships are governed, whether legislatures

⁸ See information on the Research Network on Gender Politics and the State (RNGS) website for details of extensive literature on women's movements and the state, <http://libarts.wsu.edu/polisci/rngs/> [Accessed 13th February 2009]

apply formal rules and regulations to interactions, or whether interaction is informal, what an absence of one or the other (or both) signifies for the gendering of democratic processes within assemblies, and in turn the SRW.

Following Weldon and Saward's work, FPS scholars have built upon Pitkin's definition of substantive representation as 'the activity of representing' (ibid: 112) or 'acting in the interest of the represented, in a manner responsive to them' (ibid: 114) to develop a definition of the SRW that can be operationalised, and can travel across different cases, countries and contexts. There is broad agreement as to how the SRW can be loosely defined: as acting according to and for the interests of women in a way that is responsive to them (Celis, 2009; Childs and Krook, 2008). This definition points to the need for three criteria to be observed in the SRW: first, that we are concerned with acts or action 'as opposed to ... intentions or attitudes' (Celis, 2009: 97); second, that these acts should be performed in the interests of the represented (women); and third, that the representatives acting must be responding and responsive to those they represent. As I go on to discuss in this chapter, 'women' are far from a homogeneous group, and 'interests' are not easy to pin down.

In relation to the first criterion, 'acting for', there has been a tendency for empirical research in the field to focus on individuals – most often women – within parliaments as the sole agents capable of acting for women. Studies have operationalised such 'acts' in various ways, frequently through examining votes in favour of legislation dealing with women's issues, for example domestic abuse, violence against women or pro-choice abortion legislation (Swers, 1998). However, in only considering legislative output, such studies over-simplify the operationalisation of women's substantive representation. Voting for or against legislation is really one of the later opportunities to represent women's interests and there are certainly earlier stages in the process or in a more general context whereby representatives could be acting for women by broadening political debates and bringing women's issues to the table (Celis, 2009). There are both process and output dimensions to the SRW and it is crucial that the articulation of women's perspectives and concerns are also examined as a form of substantive representation with the potential to feminise the political agenda, alongside concrete policy output (Childs and Krook, 2008; Franceschet, 2011; Lovenduski, 2005).

In response to these criticisms, other research in the field has, then, operationalised representative acts as the introduction of women's issues in parliamentary debate, or the championing and submission of women-friendly legislation in addition to counting votes (Chaney, Mackay and McAllister, 2007). However, both of these ways of measuring action in favour of women are still unable to take into account alternative sites or actors whereby representatives may be acting for women, such as women's policy agencies or civil society women's organisations. With the term civil society organisations, I am referring to organisations that are more or less spontaneously emergent to represent and/or act on the interests of constituencies of private citizens, and that are regulated in some (variable) way (Steffek and Ferrati, 2009; Steffek and Nanz, 2008). Several authors have, in addition to or instead of examining only legislatures, carried out research into alternative sites for the SRW, for example operationalising acts such as lobbying activity, and analysis of and feedback on policy (Mazur, 2002; Weldon, 2002a and 2002b). According to Celis, more nuanced empirical work, which is open to the possibility of representative acts occurring across multiple sites and examines the actions of both individuals and groups, should seek to broaden the focus on legislatures to examine acts such as 'voting, introducing and supporting bills, speaking for women, broadening the political agenda, formulating women's interests, gendering debates and policy content' (2009: 101).

The second and third criteria, that acts should be performed in the interest of the represented (in our case women), and that representatives must be responsive to those they represent, requires further explanation of how women are defined and what their interests are. It is crucial that any definition of women as a group is neither simplistic nor essentialist. Though there are some differences between theorists, broadly speaking women can be identified as a group not in relation to their sexed bodies, but in relation to their gender. Social constructions of masculinity and femininity within the wider gender order structure women's social position, their related life experiences and knowledge from which their perspectives are developed (Connell, 1987). Though 'women' are by no means a homogenous social group, structural relations of 'power, resource allocation, and discursive hegemony' have a common affect on many women's lives, shaping shared perspectives or interests (Young, 2000: 83). Women's interests or perspectives, then, relate to their unique social position and

those imbalances in structural relations which impact negatively upon their lives; however, they are not definable a priori and constantly evolve through interaction (Celis, 2009; Weldon, 2002a).

It makes sense, therefore, to set some minimum criteria for identifying women's interests, without making any explicit claims about the content of these interests. In her study on the Swedish Parliament, Wängnerud does just this, specifying three criteria: that women are recognised as a social category; that a power imbalance between men and women is recognised; and finally that a wish to increase the autonomy of women is expressed (2000). Similarly, in her investigation on the SRW in the Belgian Lower Chamber, Celis counts women's interests as 'those interventions that denounce a situation that is disadvantageous for women, that formulate a proposal to improve the situation of women or that claim a right for women' (2009: 103). This loose approach does, however, have a major disadvantage, in that it can only take into account explicit claims that will tend to be made in a context considered to be appropriate: it would be unlikely to see an intervention denouncing domestic abuse during a debate on fisheries policy, for example. It is clearly beyond the scope of this project to employ such a broad definition of women's interests in its operationalisation of the SRW, given that interventions could realistically relate to any policy area under debate. If we consider the fisheries example again, it is perfectly possible that an intervention could be made during such a debate relating to women's employment in the industry, and so on. It is necessary, then, to narrow the interests under consideration for methodological and practical reasons. In order to do this I examine the policy process and policy outputs in relation to a specific policy area, which is domestic abuse.⁹

So, as part of a wholesale re-appraisal of the concept of representation which has grown from challenges to critical mass arguments, scholars in the field have moved from a more narrow conception of representation, focusing solely on the actions of individual (usually) female legislators, to endorsing a new research agenda which focuses on the analysis of gender and representation across different levels and sites, as performed by individuals, groups or institutions from both within legislatures and outside in civil society (Celis, 2008; Celis et al, 2008; Mackay, 2008; Saward, 2006;

⁹ I will discuss the selection of this particular policy area in detail in Chapter 3, section 3.3.2..

Weldon, 2002a). Pitkin's four dimensional model of representation, comprised of its formal, descriptive, symbolic and substantive parts, resonates strongly with contemporary scholars. Saward makes the case for a much broader claims-based conceptualisation of representation in terms of who represents whom, where and how. This redefines all relationships as two-way, and particularly stresses the interactive nature of the connection between the representative and the represented. He challenges traditional delegate-trustee models and opens up space for us to examine representation outside of legislatures and beyond the actions of individuals. Weldon, too, advocates a shift in the conceptualisation of representation as action performed by individuals, to collective action performed by groups, which is likely, in keeping with Saward's ideas, to take the form of claims-making. Finally, Mackay brings the individual legislator back into the equation, arguing that they certainly have a role to play in processes relating to the SRW.

This shift has left substantial space for comparative work which seeks to map how representation is gendered across different sites, who is involved, how and why, and what sorts of factors enable or constrain the SRW (Childs and Krook, 2006a; Childs and Krook, 2006b; Mackay, 2004). Debates continue in the field relating to the way in which representative acts, sites of representation and relevant actors, and women's interests, are theorised and examined in empirical studies. My thesis takes these ongoing debates and gaps in research and theorising, and seeks to respond to them by providing a nuanced picture of the SRW across two case studies. I examine acts (broadly defined as claims-making) related to the development of particular policies, of specific actors (both individuals and groups) across different sites (internal and external to the legislature), focusing on those interventions which can be said to represent women's interests because they recognise and seek to redress the power imbalance between men and women through increasing women's autonomy. In so doing my aim is to contribute to theory-building in the field.

1.3. Formal political institutions in a context of transformation

In order to explore these questions fully, it is crucial to follow the lead of FPS scholars who have recognised that the SRW takes place within and through political institutions which exist in a context of transformation, even if they are frequently examined as stable and enduring entities (Hall and Taylor, 1996; Rhodes, 1997). When we consider

the significant shifts in governing structures and processes that have taken place – within the EU in particular – over the past few decades, the empirical reality of this statement is immediately evident (Dinan, 2010). Over this period, we have witnessed considerable fluctuations in the numbers of women who have been elected as representatives at various levels – local, regional, national and supranational – and the increased involvement of non-elected representatives from civil society in policymaking, as central state power has been ‘uploaded’ to supranational bodies like the EU, ‘downloaded’ to sub-national, devolved institutions, ‘laterally loaded’ onto multi-sector agencies composed of unelected representatives, and ‘offloaded’ onto non-state and non-governmental actors in organised civil society, business, and the home (Banaszak, Beckwith and Rucht, 2004; Celis and Woodward, 2003; Hooghe and Marks, 2001; Mackay, 2010; Newman, 2005a; Rhodes, 1997).

Following the institutionalist turn in FPS, these shifts and their potential effects on women’s representation have begun to be analysed with interest in the field as ‘changes in political architecture affect women’ (Sawer and Vickers, 2010: 3). Scholars in the field have focused on whether and how these changes provide opportunities to ‘re-gender’ the masculinised formal political sphere, and/or to open up opportunities to improve the SRW (Chaney, 2004; Stevens, 2007). The genesis of a new institution is understood to be a crucial time in the development of its procedures and norms, and the expectations laid out in statutory rules, too, are thought to be fundamental in shaping an institution’s culture (Kenny, 2006) and as such work in the field has tended to focus on ‘new’ institutions. In her theorising and empirical work on devolution and women’s representation, for example, Mackay proposes that ‘periods of institutional restructuring can open up spaces for the contestation of rule and underlying norms’ (2008: 130). She is quick to point out, however, that contestation might not lead to change.

Others in the field have been more overtly optimistic, in particular with regard to new sites of governing created at the sub-national level. They argue that many new regional institutions have been founded with the explicit purpose of being closer to citizens, explicitly aiming to create a new political culture, and including in their founding statutes clauses on greater gender equality and citizen participation as well as commitments to the non-discrimination of other historically excluded groups. These

new sites espouse values of consensus and transparency, 'efficiency and openness to alternative voices and values' (Celis and Woodward, 2003: 176). Indeed, as Celis and Woodward explain, normatively speaking, 'regional parliaments are strategically placed to take advantage of developments in European multilevel governance and act as a source of political innovation' (ibid: 174-5).

However, the results of recent theoretical work and empirical studies on gender and new institutions of governance have been very mixed (Ball and Charles, 2006; Banaszak and Weldon, 2011; Celis and Meier, 2007; Celis and Woodward, 2003; Chaney, Mackay and McAllister, 2007; Chappell, 2003; Gray, 2006; Haussman, Sawyer and Wickers, 2010; Vincent, 2004; Waylen, 2007; Weldon and Banaszak, 2010). Whilst some scholars conclude that the creation of 'new' institutions produced by (and reproducing) the down-, lateral- and off-loading of central state power to diverse sites and actors across multiple levels may present an opportunity to actors making claims for women, in turn affecting their influence on policy outputs and the SRW, others have suggested these 'new' institutions present more of an obstacle. Those reaching more optimistic conclusions have tended to point to transformations in institutional culture and rules which are conducive to the participation of 'non-standard actors' and diverse voices in policy and political decision-making (Ball and Charles, 2006; Celis and Woodward, 2003; Chaney, Mackay and McAllister, 2007; Mackay, 2008), whilst those who give us less cause for optimism point to a clear difference between increased participation in process, and increased power over and effect on outputs (Franceschet, 2011; Vincent, 2004). Since in my project I define SRW as outlined above – action in terms of claims-making which seeks outputs which redress a situation which is fundamentally disadvantageous to women – I focus on both process and output in my empirical chapters. In so doing I seek to provide insights which can help to bridge this gap in the literature.

The mixed results of empirical studies would suggest, then, that as new institutions of governing are made, the old ones are not necessarily unmade: in some situations actors making claims for women are enabled in their participation in the policy process, but in others we are not seeing a change in outputs indicative of a wider shift in the way in which institutions distribute power and resources. In many ways the latter conclusion makes sense: as discussed above, the values which structure formal

political institutions in many European political systems are masculine and privilege behaviours associated with masculinity, and within any long-established institution 'innovation is difficult' (Mackay, 2008: 130; Childs, 2006; Lister, 2001; Lovenduski, 2005; Stevens, 2007). Processes of transformation are by no means uni-directional, and as such women entering into the culturally masculine political sphere may find themselves shaped by particular formal or informal role expectations and norms, just as much as institutions may find themselves shaped by the increased presence of women or actors making claims for women (Connell, 1987; Grey, 2002; Kathlene, 1998; Lovenduski and Norris, 2003; Ross, 2002).

It is precisely this assertion that I explore in my thesis, analysing the interplay between process and output, the old and the new, the formal and the informal, in order to examine whether and how, on the ground, the SRW of women is affected by these changes in the formal political environment.

1.4. Sociological institutionalism – gendered analyses

Critically assessing how governing occurs on the ground, how processes are gendered and what effect this has on outputs, requires a thorough and systematic examination of how procedures, interactions and relationships between actors are organised – that is to say an examination of institutions. New institutionalism theory provides a general approach to the study of political institutions by theorising the relationships between political agency and institutional characteristics, changes and functions (March and Olsen, 2006a). As such, it provides much insight of relevance to this project, and in addition provides a systematic framework from which we can approach the research questions this project explores. Though until recently most studies on political institutions within FPS have not been explicitly connected with more mainstream new institutional theory, in both fields it is assumed that institutions matter and that they create some form of order and predictability. The goals of the two are in many ways very similar, as both seek to map institutional processes and change.

MacKay, Monro and Waylen (2009) use sociological institutionalism as a framework and the concept of isomorphism in particular to explain the drive to adopt equal opportunities policies in contemporary local government in the UK, and Waylen (2009) uses historical institutional analysis to examine the varying levels of success –

measured in terms of policy outputs – of women’s policy agencies in eight countries that have recently transitioned into some form of democracy (MacKay et al, 2009; Waylen, 2009).

Although in both papers the authors focus on the use of existing new institutional ‘tools’ to answer questions which are part of a gendered analysis, such endeavours need not be seen as one-way traffic. Coupling analytical perspectives from new institutional theory with those from FPS is a two-way process: just as feminist perspectives may benefit from the systematic framework new institutional theories offer, so the latter will be challenged to bring gender and power into their analyses. Given that it is the project of both new institutional theories and contemporary FPS to examine institutional functioning, change and transformation, elaborating a common framework may offer significant benefits.

Joan Acker has argued that if we are to be able to understand how processes play out on the ground, how they relate to outputs, and how they might be transformed, we must first understand ‘to what extent have the overall institutional structure and the character of particular institutional areas, been formed by and through gender’ (1992: 568). Gender in this context is treated as an explanatory concept, a variable to be examined through empirical research. In order to operationalise gender in this way, we must examine the ways in which institutions and processes are gendered (Lovenduski, 1999: 333-56). Lovenduski suggests that we need four kinds of knowledge in order to argue that institutions are gendered. First, we must be aware that ‘everyone in the institution has a sex and performs a gender’ (ibid: 348). That is to say, that we must be aware of the meanings attached to masculinities and femininities, and how institutions are built around these meanings. Second, she posits that we must be aware of the fact that an individual’s experience of an institution will vary according to sex and gender. Third, that gender is only one component of identity along with others such as ethnicity or nationality, all of which are interpreted according to cultural codes and in relation to one another, which has implications for understandings of masculinity and femininity and institutional behaviour. And finally, she highlights the fact that we need an understanding of the ways in which ‘institutions have distinctively gendered cultures, and are involved in processes of producing and reproducing gender’ (ibid: 348).

Shifting the focus of empirical work in FPS to examine gender and institutions offers exciting possibilities for investigating the way in which institutions are gendered, what the enabling and constraining factors are for women's substantive representation, and whether and how this impacts upon policy outputs. In particular, institutional analyses that are sensitive to gender as a complex, relational frame of reference have real potential to offer insights into the power relations, norms and expectations that constrain or enable the SRW (Kenny, 2006: 91-100; MacKay, 2008: 125-39).

The big questions new institutional theory seeks to answer focus on how and why institutions change, what the relationship between institutions and individual action is, and how this affects outputs – that is to say substantive policy outputs (Hall and Taylor, 1996; Streeck and Thelen, 2005). It is then, a vast field, and setting parameters for what counts as an institution is a challenging and contentious issue. Lowndes identifies three key features of institutions which inform the way institutions are conceptualised within this project. First, that institutions are 'middle level (or "meso") concepts' (Lowndes, 1996). They exist throughout society and structure it on a large scale, but also mediate smaller, day-to-day actions. Individuals devise institutions, but institutions enable or constrain their opportunities for action, meaning that there is a two way relationship between institutions and individual action (ibid). Second, that there are both formal and informal elements to institutions – formal rules, regulations and laws exist, but so too do informal customs and norms. The latter are not the product of conscious design or specification, but are formed through habitual actions and processes. Third and finally, that institutions 'have a legitimacy and show stability over time', meaning that they are not valued just on their immediate outputs or purposes, but valued in and of themselves. Their relative stability over time may help them maintain legitimacy, which may also be a product of a link with a specific place or identity (ibid: 182).

March and Olsen's definition of an institution focuses on similar elements, highlighting the importance of stability, organisation, formal and informal features:

An institution is a relatively enduring collection of rules and organised practices embedded in structures of meaning and resources and that are relatively invariant in the face of turnover of individuals and relatively resilient to the

idiosyncratic preferences and expectations of individuals and changing external circumstances (2006a: 3).

The authors draw attention to the fact that the structures of meaning upon which institutions are based hold great importance, and that institutions are more than just the sum of individual preferences. The structures of meaning the authors refer to in the definition are crucial to legitimating institutions: they are tied to identities and belongings, common institutional goals, purposes and narratives, which direct and give meaning to action. In addition, by referring to resources, they are pointing to the importance of the distribution of resources in creating capability for action (ibid).

Whilst all scholars working in the field do so under the assumption that institutions matter, new institutionalism theory is far from a unified school of thought and there are many different analytical approaches to the study of political institutions (Hall and Taylor, 1996; March and Olsen 2006a). Each of these approaches is based upon different foundations and focuses on different institutional features in order to answer questions about the nature of institutions as organised locations in which political actors act. Analyses tend to centre upon: how habitual processes translate into structures and rules, and how these constrain or enable action; how actions can establish, transform, extinguish or maintain institutions; and finally, how rules, processes and action relate to outputs (Hall and Taylor, 1996; March and Olsen, 2006a). Such varied theoretical terrain is of real benefit to this project, which is seeking to bring together an over-arching feminist theoretical approach and related techniques of institutional analysis with those advocated in new institutional theory in order to address research questions which relate to gender, power and change.¹⁰

There are at least three common approaches within new institutionalist theory: rational choice, historical and sociological (March and Olsen 2006a). In this thesis, I take a sociological institutionalist approach. As indicated by its name, this approach has developed in sociology as a part of organisational theory, but it has increasingly come to be used by political scientists. Sociological institutionalists stress the culturally-

¹⁰ Please see the Feminism and Institutionalism International Network (FIIN) website for more details on a broader shift in this direction within the field of feminist political science. www.femfiin.com [Accessed 23rd April 2009]

specific basis of institutional forms and processes, and, generally speaking, seek to provide explanations for why and how it is that organisations are structured through particular institutional forms, symbols or procedures (Hall and Taylor, 1996; Lowndes, 1996). Hall and Taylor explain that sociological approaches are distinguished from others by three key features: their wide conception of institutions; their distinctive, cultural understanding of the relationship between institutions and individuals; and finally their explanation of institutional origins and change (1996). As I explain below, it is each of these features that makes the approach such a good fit for this project.

Sociological institutionalists offer a broad definition of institutions: both formal rules and informal norms are included, but also ‘symbol systems, cognitive scripts, and moral templates that provide the “frames of meaning” guiding human action’ (ibid: 947). This definition of institutions breaks down the traditional conceptual divide that exists in political science between organisational structures, which are the basis of institutional explanations for phenomena, and a conception of culture as shared attitudes and values, which is the basis of cultural explanations for phenomena (ibid). This is particularly pertinent in research which is seeking to explore and analyse processes on the ground and interactions between actors.

The next feature of sociological institutionalism is its understanding of the relationship between individuals and institutions, which follows a ‘cultural approach’. There are two predominant views of this relationship: one which stresses role-learning and norms of behaviour prescribed to particular roles within institutions; and another which emphasises the ‘cognitive dimension’, suggesting that institutions provide cognitive templates which influence action, in other words, ‘institutions influence behaviour not simply by specifying what one should do but also by specifying what one can imagine oneself doing in a given context’ (ibid: 948). The latter formulation is, then, a question of perspective and interpretation – institutions do not simply guide strategic behaviour to maximise the attainment of an individual’s preferences; they actually shape an individual’s identity and preferences too. This relationship between individuals and institutions is, of course, two-way, and sociological institutionalists stress its mutual and interactive nature. The approach does not suggest that individuals are not purposive, but it does highlight that purposes are socially constituted and mediated (Hall and Taylor, 1996; Lowndes, 1996; March and Olsen, 2006a). For my research,

which explores whether and how institutions affect opportunities for action, the theoretical framework provides key insights.

The final distinctive feature of this approach is its conception of institutional origins and change. Where rational choice theorists focus on efficiency, sociological institutionalists focus on legitimacy. Institutions are thought to transform and adopt new practices in order to increase their social legitimacy, not their efficiency. They will adopt new practices if they are perceived to have a value in wider society: this is known as the 'logic of social appropriateness' (March and Olsen, 2006b). In some cases, these practices might lead to greater efficiency, yet in others, they may actually hamper the institution in achieving its goals. The focus of analysis is, then, on what it is that lends some institutional arrangements legitimacy – why they are 'appropriate' where other arrangements are not. Related to the idea of culturally defined appropriateness are processes of institutional convergence, known as institutional isomorphism. A concept borrowed from organisational theory, isomorphism 'describes the process through which an organisation adopts the features from other organisations in its institutional environment, often in an attempt to counter uncertainty and gain institutional legitimacy' (Mackay, Monro and Waylen, 2009). There are three different varieties of isomorphic process: mimetic, coercive and normative. The first relates to the way in which organisations will imitate one another in an effort to increase legitimacy, the second to the way in which the state will oblige particular organisations to adopt similar practices; and the third to the development of new rules and networks (Mackay, Monro and Waylen, 2009; Powell and DiMaggio, 1991). Sociological institutionalist approaches and accounts of institutional isomorphism could be of real use in terms of explaining the adoption of particular frameworks for civil society engagement, in addition to convergence or divergence across cases in this comparative project.

The major critique that sociological institutionalism has faced relates to its explicit focus on macro-level structural variables, and frequent failure to integrate analyses of individual conflict and competing interests and their impact on institutions. As Hall and Taylor explain, in some cases analyses can begin to look as if they are focused on 'action without agents' (1996: 954). Processes of contention and clashes of power between actors with competing interests do occur, and they too may produce frames

of meaning and symbols which influence cognitive templates in the same way that processes of interpretation do. In an effort to respond to these criticisms, I actively seek to demonstrate an awareness of the competing interests of individuals and groups within this thesis, and I explicitly focus on agents' actions as well as the structural dimension.

I have opted not to adopt a rational choice approach as a matter of epistemological incompatibility. Rational choice theorists stress the role of formal rules in guiding behaviour, and tend to conceptualise actors' preferences as exogenous to any analysis. Actors tend to be abstracted from the social and cultural situation, and analyses tend therefore to be ahistorical. In this project, however, I argue that the rules which organise political actors' behaviour are socially constructed, accepted and anticipated (Hall and Taylor, 1996; Locher and Prügl, 2001; March and Olsen 2006a). In addition, rational choice approaches focus almost entirely on formal rules and structures. As we have explored in the preceding literature review, leaving aside informal institutions for the sake of explanatory parsimony does not give us the whole picture (Hay, 2006). Similarly, I have chosen not to approach empirical analysis in the project through using a historical institutionalist approach. Although historical institutionalism is, like the sociological variant, situated within a cultural community perspective, the focus tends to be more on institutional origins and change, and less on enactment and process (Hay, 2006; Streeck and Thelen, 2005). In addition, explanations of major change are often linked to external events, with the role of internal actors, processes and aspirations underexplored (Hall and Taylor, 1996; Lowndes, 1996; March and Olsen 2006a). Since these are the key dimensions I am looking to examine in my thesis, historical institutionalist approaches are of limited use.

The recent institutionalist turn in FPS has highlighted the fact that traditional institutional theory and analyses, whether historical, sociological, 'new' or 'old' have consistently and almost completely ignored the fundamental role of gender in structuring institutions. It is not a stretch to see, however, that parallel criticism can be levelled at FPS scholarship, which until recently may well have been guilty of too great a focus on the actions of individual women in politics without linking this to the gendering of their institutional context (Childs and Krook, 2006a and b; Cowley and Childs, 2003; Kenny, 2006; Lovenduski, 1998, 2005; MacKay, 2008).

In spite of these contestations, there is seemingly much overlap between new institutionalist theories and feminist theories, since fundamentally both are interested in 'temporality, relationality and contextuality in political developments' (Kenny and MacKay, 2009). It is worth noting from the outset, though, that the ideas explored above clearly demonstrate rational choice approaches and feminist approaches to be epistemologically incompatible, and although some work has been done which attempts to marry the two, it would seem that this synthesis would be an unhappy union indeed (Driscoll and Krook, 2009; Kenny and MacKay, 2009). Both historical institutionalism and sociological institutionalism are much more epistemologically compatible with feminist political science.

However, scholarship in the field is already apt to offer sophisticated analyses of gender and power that have remained absent from new institutionalism accounts, the latter having tended to ignore gender as a variable and under-theorise power relations as a result (Chappell, 2006 and 2002; Kelly and Duerst-Lahti, 1995; Kenny, 2006; Kenny and MacKay, 2009).¹¹ Where new institutionalism analysis does, however, offer real potential for a fruitful synthesis with FPS is around questions of institutional continuity and change and opportunities for, or constraints on, representation. These are areas which, to an extent, have tended to be under-theorised within the field as a consequence of its long-standing focus on the experiences of individual (female) legislators.

The aims of this project as discussed above are to contribute to theory-building on institutional gender processes and how they relate to substantive policy outputs, and to analyse the relationships and interaction between actors pursuing gender equality claims. The analysis this project provides could also be of practical use to gender equality activists regarding which sites or settings best enable them to pursue their claims. To gain a fuller and more nuanced picture, then, insights from new institutional theory are indispensable.

¹¹ See, for example, Rhodes et al.'s impressively extensive *Oxford Handbook of Political Institutions*, 2006, within which there is but one (fleeting) mention made of gender, somewhat ironically in Holden's chapter on 'Exclusion, Inclusion & Political Institutions' (2006: 163-90)

1.5. Research questions

My thesis uses a qualitative, comparative case study design, focusing on two new regional legislatures – the National Assembly for Wales (NAW) and the Tuscan Regional Assembly (Consiglio) – in order to explore whether and how the SRW is enabled or constrained by changes in the formal political environment, where power has been decentralised to new political institutions at the regional level which espouse an agenda of equality and inclusivity. Across both cases I trace and examine the participation of a specific group of actors making claims for women in the policymaking process for policy on domestic abuse, and analyse the policy outputs of both assemblies in this area. I discuss in detail the rationale for selecting these case studies in the following chapter, and my choice of policy case study alongside my research design and methodology in chapter 3.

Put plainly, my project explores the following questions in relation to my chosen case studies, and in the policy area of domestic abuse:

1. How do the following phenomena constrain or enable the SRW, conceptualised as the participation of actors making claims for women in the domestic abuse policymaking process, and the presence of policy outputs which reflect their participation and their claims:
 - a. The cultural and discursive structures and informal norms of the assembly.
 - b. The political structure and formal rules of the assembly.
 - c. The nature of relationships between actors, and formal or informal links between actors making claims for women in and outside of the assemblies.
2. What do the introduction of new formal, statutory commitments to inclusion and equality mean on the ground during policy development in my case study assemblies? How are these values and rules interpreted/enacted by actors, who exist within gender regimes and a gender order with deeply embedded, pre-existing informal norms and values?

1.6. Conclusion

In this chapter, I have set the context for the empirical investigation this thesis undertakes. I have critically reviewed the FPS literature on sex, gender, and representation, and discussed current debates in the field around whether and how recent changes in the formal political sphere, with its embedded masculinised processes and value structures might open up or close down opportunities for the SRW. From this discussion I have set out this project's research questions which explore whether and how changes in political architecture affect the SRW, and reviewed the new institutionalist literature which provides the theoretical framework for my gathering and analysis of empirical data. Finally, I have highlighted the contribution this thesis will make to the field of FPS.

In the next chapter I go on to discuss in more detail the literature on the recent creation of new institutions of governing, with a particular focus on down-, lateral- and off-loading of central state power, drawing attention to questions around how changes in formal institutions and new processes of governance are enacted on the ground, and how pre-existing, gendered informal institutions and relationships might affect this. I then go on to discuss the selection of my case studies of new regional assemblies in Wales and Tuscany.

CHAPTER 2. CASE STUDIES AND CONTEXT: NEW INSTITUTIONS IN A RESHAPED POLITICAL ENVIRONMENT

2.1. Introduction

In this chapter I further explore the literature on the recent reshaping of the political environment with a particular focus on the down-, lateral- and offloading of power to new regional institutions and civil society organisations, and examine what this means for the SRW. I draw attention to areas that remain under-researched, in particular how changes in formal institutions and new processes of governing are enacted on the ground, and how pre-existing informal institutions and relationships might affect this to open up or close down opportunities for the SRW. I then go on to introduce and justify my selection of the Welsh and Tuscan regional assemblies as case study regions, and the issue of domestic abuse as a policy case study.

In the sections that follow, I first briefly review literature from the governance field which examines the ways in which the institutions and practices of governing have been made and re-made in recent years, and the changing ways in which individual citizens and civil society organisations in the ‘third sector’ engage with policymakers and political power. Though as a matter of course this literature does not undertake gendered analyses – and therefore does not provide support for my project’s entire conceptual framework – it does provide insights which are of considerable interest to inform and contextualise my study, in that it offers a more detailed analysis of changes in the political environment than is present explicitly in the FPS literature.

2.2. The opening up of governing structures – transformations in the political environment

Political institutions, both formal and informal, are critical in the practice of policymaking. They provide the frameworks that structure the political environment in which governing takes place, and establish the rules, routines and shared meanings that constrain or enable opportunities for action, and this has implications for gender and the SRW (Hall and Taylor, 1996; Lowndes, 1996; March and Olsen, 2006a). As Banaszack and Weldon argue, governing structures are fundamental in ‘maintaining or undermining gender hierarchies’ (2011: 262).

In chapter 1 section 1.3, I began to outline recent transformations in the formal decision-making institutions structuring the political environment, highlighting how FPS scholars have identified processes of down-, lateral-, and off-loading of central state power as being of particular interest. Following similar logic to Banaszack and Weldon, FPS scholars contend that this reshaping of formal political institutions might open up space for actors pursuing the SRW to become more engaged in decision-making processes, and to have an influence on their outputs.

The public policy governance literature contains a more in depth analysis of these processes of state reconfiguration, where an increasingly diverse set of actors is imbricated in decision-making, and power and authority are increasingly allocated across multi-level, general purpose territorially distinct jurisdictions and multi-level, functional issue-based or policy-specific jurisdictions. Newman uses the term 'governance narrative' to highlight the concept's dynamism, explaining how policymaking in a governance setting involves institutional change, network-based co-ordination processes and new forms of political power in response to shifts away from hierarchical government (2005a). Arguably, each of these features is very much in evidence in contemporary governing processes across Europe, where functional integration processes have forced changes in territorial relationships, governmental and institutional structures (Dinan, 2010). A straightforward, hierarchical framework with clear distinctions between functional jurisdictions and territorial levels no longer exists (Hooghe and Marks, 2003; Marks and Hooghe, 2004; Schobben and Boschma, 2000). Similarly to those in FPS, some scholars in the field contend that changes in political architecture have generated 'new sites of agency' (Newman 2005a: 2), through which 'power is encountered and negotiated' in novel ways (ibid: 4). Transformation of state architecture and a shift from government to governance is said to affect participation and policy innovation (Hooghe and Marks, 2003; Marks et al, 2008a).

The insights contained within the literature are of particular interest here as they help us to contextualise and situate the empirical study this project undertakes. Whilst I explore policymaking processes at specific sites at the regional level, in my research design I still need to take into account these significant overlaps and complex

relationships between actors, as they may have implications for the conclusions I am able to draw.

Debates continue across and within a variety of academic fields over the conceptualisation of governance, but in my research I follow Emma Carmel's definition and approach governance as both an activity and a process, namely 'struggle and contestation over the political ordering of social relations through public policy', and 'a critical perspective concerned with analysing the dynamics of these struggles' (Carmel, 2010).¹² It is exactly this kind of approach I use to guide my project, which explores processes of how the SRW is enabled or constrained in specific case studies, but also how these patterns undermine, reflect or reproduce broader, gender regimes and a gender order with deeply embedded informal norms and values that tend to disadvantage women.

As I have indicated above, governance is a contested concept. However, one thing that most – if not all – governance narratives have in common is that they seek to offer 'an account of the dispersal of power beyond and within the state' (Newman 2004a: 4). Furthermore, each narrative tends to use a combination of one to four of the following features to describe the process through which this dispersal occurs (Hix, 1998; Marks and Hooghe, 2004).¹³ The first of these is the assertion that governance is not 'a synonym for government' (Marks and Hooghe 2000: 795); as a term it describes 'new' processes that represent a change in the way governing occurs, and an acknowledgment that central state government is no longer the primary actor (Marks and Hooghe, 2004). This strand of the literature tends to focus on the territorial dimension of changes in process, and is explored in the sections on uploading and downloading below.

¹² I am grateful to Emma Carmel for sharing her work with me, and other members of the Governance Research Group at the University of Bath for helping to develop my understanding in this area.

¹³ To an extent, multi-level governance (MLG) approaches overlap with governance narratives in terms of the state restructuring processes they aim to explain. The MLG literature recognises (without explicitly referring to) the twin processes of uploading and downloading I have outlined above as critical features of European integration – see, for example, Hooghe and Marks, 2003; Hooghe and Marks, 2004). There is less of a focus, however, on lateral- and offloading, and for that reason I have not chosen to explore the field in depth here.

The second feature is an emphasis on interdependence between and across sites of governing and actors engaged in the process, and a blurring of boundaries. This feature goes hand in hand with the third, which is an emphasis on the role of networks: linkages between actors and organisations across plural sites and multiple levels form networks that are judged to be self-organising and, to varying degrees, independent from the state (Bevir and Rhodes, 2003; Lowndes and Skelcher, 1998; Newman et al, 2004). The fourth and final feature is the inclusion of 'the social': governance refers not only to political rule, but to social rule too (Carmel, 2005). Citizens and communities participate in processes of governance which is a 'meaning-making', constitutive practice as opposed to a purely institutional one (Newman, 2005a).

What is most striking about these four related features of the dispersal of central state power is that each brings in a wide variety of actors traditionally perceived as non-state, or non-government – individuals and organisations within the private sphere and within wider civil society. At this point it is important to explain what is meant by civil society and civil society organisations. Throughout this thesis where I refer to civil society, I am referring to the sphere of social interaction which is distinct from the private family, the state, and the market, and where individuals associate or organise to represent and/or act upon their shared interests and needs. This therefore includes voluntary and community organisations, non-governmental organisations (NGOs) and non-profit organisations. That civil society is distinct from the state means that the association or the formation of organisations is spontaneously, as opposed to statutorily, established (Kohler-Koch and Buth, 2009). However, as civil society organisations become increasingly engaged in policymaking and policy delivery, the distinction between where they end and where the state begins becomes ever more blurred.

This bringing in of non-traditional actors to political decision-making processes has been recognised by FPS scholars as a key feature of a new research agenda for the field which focuses on the analysis of gender and representation across different levels and sites, as performed by individuals and groups both inside and outside of legislatures in civil society (Celis, 2008; Celis et al, 2008; Mackay, 2008; Saward, 2006; Vickers, 2011; Weldon, 2002a). In the sections that follow I review the governance literature which focuses on down-, lateral-, and offloading of central state

power, highlighting how scholars in the governance field remain ambivalent as regards the potential for new structures and processes of governing to provide 'new' actors with the opportunity not only to participate in policy processes but also to have an impact on their outputs (Carmel, 2010; Franceschet, 2011). As other FPS scholars have done, I argue later in the empirical chapters of my thesis that there is a clear gender dimension to the uneven effects of new governing processes and their outputs.

2.3. Altering the opportunity structure – decentralisation, devolution and federalisation

Processes of devolution or regionalisation, that is to say the top-down central state policies designed to redistribute power and decision-making authority to regions in an effort to counter regional imbalances have proliferated over the past 20 years or more across Europe (Hooghe, Schaekel and Marks, 2008c; Keating, 1998).¹⁴ In all but one EU member state regions have seen their decision-making powers increased over the period from the mid-1990s to the mid-2000s (Hooghe, Schaekel and Marks, 2008c). Where FPS scholars have turned to examine how changes in state architecture affect women, they have increasingly focused studies on decentralisation and regionalisation in multi-level systems like the EU, and in federal polities further afield, like Canada or Australia. Key debates in the literature are geared towards how changing and diverse political architecture affects opportunity structures, and whether and how the spread of 'multiple points and sites of access to government' (Vickers, 2011: 254) can enable or constrain political opportunities for women, in particular through the creation of numerous entry points for those making feminist claims to do so (Banaszack and Weldon, 2011; Chappell 2002; Vickers 2011).

There are multiple and competing definitions of what a 'region' is. Regions can, for example, be defined as physical spaces according to their geographical features. They may also be defined according to economic, cultural, linguistic or historical criteria, with a functional definition that emphasises 'patterns of social interaction', or according to a shared sense of identity felt by citizens (Keating, 1998: 10). Regions might also be defined according to institutional divisions, whereby recently created or historically constituted and long established institutions structure political life. They are, then, a construction of multiple elements from across multiple systems, some of which sit

¹⁴ Not to be confused with 'regionalism', which in this thesis is taken to mean bottom-up claims or demands for representation at the regional level (Keating and Loughlin, 1997)

together better than others. In all cases, the most important thing is that we view regions 'as open systems rather than self-contained societies... they are partial social systems linked... to other levels' (ibid: 11). Territorial boundaries are not all that makes a region – it must also be conceptualised as 'a social, economic and political construction' (Keating, 1998: 7).

Scholars in the field of regional studies point to multiple, interlinked explanations for increasing regionalisation. Whilst some highlight increasing regional consciousness from the bottom up driven by identity-based claims for greater autonomy, others cite the influence of EU regional policy and its concomitant financial incentives as heralding the top-down creation of new regional institutions or the restructuring and strengthening of those already in existence (Magone, 2003a; Marks et al, 1996). They also cite pressures on the central state to compete globally, to modernise, and to privatise (Keating, 1998; Newman, 2005a).

In response to these pressures, across the EU (and further afield) governments have both pulled back from economic intervention, leaving regions greater capacity as actors in their own right, at the same time as encouraging formal devolution or federalisation processes. Furthermore, in response to those same pressures to compete, modernise and privatise, and in many cases in response to bottom-up pressure for greater representation, the construction of new or strengthened regional institutions has seen the proliferation of interactions and partnership initiatives between policymakers and civil society organisations (Keating, 1998). Civil society organisations have also been drawn into regional governing through the administration and delivery of EU funds, which tend to emphasise a 'negotiating/ participatory decisional style and a strong public role in planning' (Fargion et al, 2006: 771). Indeed, as Lowndes and Skelcher explain, 'the existence of a... partnership involving public, private, voluntary and community interests is a precondition to most British Government and European Union funding regimes' (1998: 316). This has both strengthened and formalised existing territorial networks and public-private partnerships, and encouraged the creation of new ones, helping to establish a distinct regional 'arena' (Fargion et al, 2006).

Regionalisation should not, however, be understood simply as a case of pragmatic necessity. Central state support for devolution in countries like the UK and Italy over the past twenty years or more – and particularly under centre left governments of the late 1990s and early 2000s – has also been recognised by scholars as a *normative* project, which counts inclusion and equality as fundamental drivers of political modernisation and democratic renewal necessary to bring politics ‘closer’ to citizens (Keating, 1998; Laffin and Thomas, 2000; McAllister, 2006). This underlying project has been an important driver in encouraging civil society organisations’ increased participation in policymaking processes (Bode, 2006; Carmel and Harlock, 2008; Lowndes, Pratchett and Stoker, 2001; Steffek and Nanz, 2009). Many new regional political institutions, with their formal links to ‘non-state’ or non-traditional actors, represent an arena in which the ambition for new and more inclusive or participatory forms of governance is self-consciously evident and this is why I have chosen to explore the sub-national level in my thesis.

New regional governing architecture across Europe comes in varying forms. Although different authors may use different terminology, broadly speaking each system can be described as either: federal in structure; regionalised; decentralised unitary; or centralised unitary. In federal states such as Germany or Belgium, regional institutions are elected, hold extensive legislative powers and participate in decision-making at the federal level for the whole country. In regionalised countries, such as Italy or the UK, the institutions are elected and hold limited legislative power and may have weak or no participation in federal level decision-making. In decentralised unitary states, such as Sweden or Denmark, some kind of intermediate tier between the national and the local level exists, although it is not autonomous and has no legislative powers. Finally, in centralised unitary states, such as Luxembourg, there is no intermediate, regional level of government (Bullman, 1997; CoR, 2002; Magone, 2003). How countries are categorised according to these criteria is entirely open to change and indeed since the 1970s there have been shifts. Although processes of devolution or federalisation in Europe over the past thirty or forty years vary from country to country, we can see some common patterns – namely that almost all shifts in power have been towards decentralisation, regionalisation or in some cases federalism. Indeed, in their longitudinal study on regionalisation in 42 countries Hooghe, Schaekel and Marks

reveal that in all but one EU country regions have seen their powers increased from the mid-1990s up to 2006 (2008c).

In those countries that have undergone processes of devolution to create a tier of directly elected regional government – such as the UK, Italy, France and Spain – and moved from centralised unitary systems to regionalised or ‘quasi-federal’ states there are noticeable patterns in the kinds of powers and policy areas that have been devolved. In general policy areas, such as town planning, tourism, local policing, local transport infrastructure, charities, healthcare and hospital services and schooling and education, have tended to be devolved to regional legislatures in regionalised states (Fabbrini and Brunazzo, 2003; Hooghe et al, 2008a; Keating, 1998). In certain states, such as the UK, this devolution of powers has required the creation of new regional institutions, whereas in others, such as Italy, it has been achieved through empowering existing institutions and altering their structure.

Broadly speaking, the literature on ‘downloading’ focuses on the dispersal of power to create new sites of, and opportunities for, agency. However, where the focus is exclusively on changes in the formal institutional framework and formal relationships between territorial tiers and other actors, the literature tends to treat these changes and any possible effects as gender blind; that is to say that in highlighting the purported inclusivity and openness of new formal governing structures to new actors, women’s historically marginalised position in wider, informal gender regimes is not factored in. There is little discussion over which kinds of organisations have been best able to take advantage of these new opportunities to participate in practice, at the meso or micro level. This is in spite of the fact that scholars often cite the active and increasing engagement of civil society organisations in policymaking as evidence of a shift in the governing process.

So, scholars in the field of FPS have sought to examine the effects of these shifts in governing architecture. Whilst some have explored whether women’s organisations pursuing the SRW (or indeed their opponents) benefit from multiple points of entry into the policy process to ‘forum shop’ for policymakers most responsive to their claims, others have examined whether and how individual institutions at the sub-national level might offer up opportunities to pursue ‘women friendly’ policies as a consequence of

their relative newness and their inclusive formal structures (Vickers, 2011). This latter area of work has focused on the opportunity the creation of new institutions presents to re-gender the historically masculinised culture and practices of formal political institutions (Chaney, Mackay and McAllister, 2007; Chappell, 2002; Mackay, 2008; Vickers, 2011). Scholars have become increasingly sensitive to the effects of informal institutions in enabling or constraining opportunities for those actors seeking the SRW to participate in the policymaking process and to influence its outputs. In particular, the focus in the literature has turned to 'the powerful role that informal institutions play in mediating the effects of formal institutions' (Banaszack and Weldon, 2011: 268; Mackay 2009). As discussed in the preceding chapter, informal institutions, too, are stable and enduring, and as such there is no reason to assume that those informal institutions which privilege masculinised values and norms will disappear with the creation of new formal institutions at the sub-national level, even where they are committed to openness and inclusion. My thesis sets out to explore these issues further through a systematic comparison across two cases in order to provide new data and insights to inform theory building in the field.

2.4. Encouraging the participation of non-state actors in civil society

As I have outlined above, internal and external pressures on the state to compete, modernise, and privatise have altered the political environment, changing the relationship between central government and sub- and supra-national political actors, and drawing in 'non-state' actors, both individual citizens and civil society organisations (Clarke and Newman, 1997; Newman, 2005b; Neman, 2005b: 89; Marks and Hooghe, 2004). Many in the field argue that the dispersal of power has led to an 'opening up' of decision-making, with governments across all territorial levels deliberately encouraging greater involvement of civil society actors in the policy process (Chaney, Mackay and McAllister, 2007; Cento Bull and Jones, 2006a; Lowndes, Pratchett and Stoker, 2001; Newman, 2005c; Newman et al, 2004; Steffek and Ferrati, 2009; Sterling, 2005; Sullivan et al, 2003).

One of the clearest expressions of this greater engagement is the proliferation of 'partnerships' between government and 'external' actors in civil society. Indeed, as Chaney, Mackay and McAllister assert, 'government-voluntary sector partnerships have become an increasingly common feature of European governance' (2007: 135).

Partnerships can be described as formalised, multi-sector arrangements ‘involving organisations from both the public and private or voluntary sectors’ (Sterling, 2005: 140) working with a degree of independence from one another (usually) to the same specific, agreed objectives. Evidently, this definition captures a wide range of working arrangements, relationships and projects, but the broadness and flexibility is deliberate. Whilst partnerships can and do vary, most share the features identified above. Even within partnerships, actors may have differing aims, expectations or ways of working, and all of these may change over time (Balloch and Taylor, 2001; Lowndes and Skelcher, 1998; Sterling, 2005).

The literature provides an explanation for the development and increase of governing through partnerships since the 1990s in terms of three interlocking trends (see Sterling, 2005 for a review). First, certain scholars argue that partnerships have been created in response to and to facilitate the realigning of different government responsibilities which have traditionally been the preserve of the central state as sub-national territories have taken on increasing importance through complex processes of devolution and decentralisation (Sterling, 2005). Partnership initiatives are used to formally structure relationships between organisations working together in a defined sub-state territory to design and provide services tailored to the needs of its constituents (Cento Bull and Jones, 2006a).

Second, others suggest that partnerships have grown up as formal institutional structures established to bring together multi-sector actors – from the state, civil society, statutory agencies and business – collaborating on public decision-making and policy delivery. These diverse actors are increasingly collaborating in service design and delivery as the state ‘modernises’ in response to market pressures (Newman et al 2004).

Third, some scholars recognise partnerships as initiatives aimed at increasing public participation in order to provide legitimacy, efficiency and transparency (Balloch and Taylor, 2001; Lowndes and Sullivan, 2004; Steffek and Ferrati, 2009). The foundational assumption behind top down partnership initiatives is that governance through partnerships can not only ‘enhance democratic participation and [deliver] more efficient services’ (Cento Bull and Jones, 2006a), but also open up decision-making

processes to the participation of 'active citizens' to increase transparency and provide a forum for more groups to voice their interests (ibid; Sterling, 2005).

However, similar tensions are present within each of these three linked arguments which are often treated as overlapping in the literature, in particular where the concepts of partnership and participation are 'coupled' (ibid: 144). Collaboration does not necessarily imply the participation of civil society organisations or other actors on an equally powerful footing with government, nor their equal influence over outputs. There may well be instances where partnership arrangements are not based upon the desire to 'open up' decision-making processes to civil society actors, but instead are driven by more pragmatic, functional considerations. Allied to this, and also applicable to the third argument detailed above, is a tension inherent in the literature where it focuses on the policy process, but makes assumptions regarding the legitimacy or effectiveness of policy outputs. Scholars and policymakers alike may highlight the advantages of partnership working in terms of efficiency, transparency and transformation, but partnership is not necessarily equal to participation, and participation in turn is certainly not always equal to influence. The formal set up of the partnership, the actors involved and the informal institutional context, all have an effect. It is not enough to take formal, symbolic commitments to inclusion as read, otherwise we risk blindness to the possibility of the continued exclusion of particular groups from new, more plural methods of governing (Lowndes and Sullivan, 2004; Monro, 2007; O'Malley, 2004; Sterling, 2005). This is particularly pertinent from a gender perspective, as even in new institutions, pre-existing informal norms which privilege masculinised norms, practices and institutions may clash with formal institutions which would proscribe a different set of values (Banaszack and Weldon, 2011). It is not automatically the case where a new partnership initiative professes openness and inclusivity that all organisations (and particularly those in the women's movement that challenge most established gender hierarchies) will be equally equipped to participate, and nor is it necessarily the case for those that are able to participate that their voices will be reflected in policy outputs.

Beyond formalised partnership arrangements, governance narratives also recognise the increased engagement of individual citizens and civil society organisations (and private sector actors) in governing processes, for example through more ad-hoc formal

mechanisms like consultation and stakeholder engagement, individual agreements with specific organisations brought in to deliver services, and less formal interactions through expanded networks (Bevir and Rhodes, 2003; Cento Bull and Jones, 2006; Newman et al, 2004).

As with partnerships, more ad-hoc pluralistic participation is encouraged as it is assumed that involvement of civil society organisations representing specific interests will enhance democratic legitimacy, efficiency and effectiveness of the policies developed (Cento Bull and Jones, 2006a; Newman et al, 2004; Steffek and Ferrati, 2009). There has been real interest amongst policymakers across all territorial levels in the use of more participative democratic processes as a means to strengthen accountability and to deliver more effective policy outputs (Betts, 2010; Cento Bull and Jones, 2006; Chaney, MacKay and McAllister, 2007; HMT – Cabinet Office, 2007; Lowndes, Pratchett and Stoker, 2001; Newman et al, 2004). These methods are perceived to be in contrast to the more traditional representative democratic model, whereby policymakers act *for*, not *with*, those they represent (Pitkin, 1967; Philips, 1996; Newman et al, 2004). Indeed, such has been the significance attached to participation that at European, national, regional, and local levels in many cases engaging citizens and civil society organisations in the policy process has taken on a mandatory aspect (Newman et al, 2004). Evidently these shifts have been of interest to FPS scholars whose theorising on women's representation – as I have discussed in the previous chapter – has developed to take into account the actions of not only female legislators, but male legislators and in particular women's organisations as part of wider women's movements (Weldon, 2002a).

As I have discussed in section 2.3. above, it is at the sub-state level where this agenda of inclusion and participation has had greatest resonance. This narrative has to a large extent been taken up by new regional governing institutions that have explicitly sought to counter a perceived 'democratic deficit' with an inclusive 'new politics' agenda. This agenda has been a foundational part of the normative rationale for top-down moves (and bottom-up claims) to devolve power to the sub-national level that have occurred in the past decade or more in countries like the UK or Italy (Keating, 1998; Laffin and Thomas, 2000; McAllister, 2006). Changes have occurred at differing speeds and in different ways across countries, as the political environment has been remade and

reshaped. Some states like the UK and Italy have devolved administrative, fiscal and political responsibilities only recently, whilst others like Germany and Belgium have spread competences across multiple levels for many decades (Cento Bull, 2002; Hooghe, Marks and Schakel, 2008; Keating, 1998).

In addition to FPS scholars' interest in what opportunities this new agenda offers those actors seeking to improve the SRW, the time dimension and relative newness of these institutions have also been recognised as important. As new formal rule sets are made and introduced, older and more embedded rule sets, formal and informal, do not dissolve (Mackay, 2009; Vickers, 2011). A more complete understanding of the circumstances under which new regional institutions might offer opportunities to enhance the SRW therefore requires research which is sensitive to formal and informal institutions, their wider context and their relative longevity. My research questions are focused on covering each of these dimensions and the interaction between them.

2.5. Tensions inherent in top-down efforts to include civil society organisations

Above, I have reviewed literature which describes and analyses how the traditionally (relatively) clear separation of policy responsibilities between the public and private spheres has eroded as the model of the unitary, centralised state has fragmented. Increasingly, functional or territorial levels and actors that have traditionally been viewed as 'separate' have merged or blurred as jurisdiction over and responsibility for policy development and delivery overlap (Lowndes and Skelcher, 1998). Increasingly, civil society organisations and individuals are imbricated in governing processes, engaged in the policy process from the development stages, through to delivery or implementation and on to evaluation (Lowndes, Pratchett and Stoker, 2001; Steffek and Nanz, 2009). This is happening across countries, across levels from supra- to sub-national, and through variable and complex arrangements (Bode, 2006; Carmel and Harlock, 2008). Civil society organisations are viewed as inhabiting the space in between market and state, and therefore as having something unique to offer: they are close to their constituents and can understand and represent their needs, whilst at the same time they are less constrained by regulation than statutory agencies (Cabinet Office, 2006; Carmel and Harlock, 2008; Kohler-Koch and Buth, 2009; Lowndes, Pratchett and Skelcher, 2001). There are, however, tensions inherent in top-down

efforts to increase the participation of organised civil society in decision- and policymaking.

First, in order to establish relationships governments have tended to group diverse organisations and interests together. Whilst pursuing civil society organisations' participation (ostensibly) for reasons of legitimacy, accountability, efficiency and even justice, governments have failed to recognise the diversity of organisations and have instead treated them as value or interest neutral. This blanket treatment of all organisations fails to recognise the very real differences that exist between disparate groups like charities working with the elderly on the one hand, and politicised organisations like feminist groups campaigning for better access to abortion. Second, in order to facilitate working more closely with civil society organisations governments have sought to formalise mechanisms for participation, based upon statutory regulatory structures. These twin tensions seemingly have the potential to stifle the unique and autonomous perspectives that civil society organisations are envisaged to bring into the policy process.

This 'sectorisation' of civil society organisations has been apparent across Europe, where the term the 'third sector' has been coined and used by both governments and civil society organisations themselves. The third sector is a generic term used to identify, define and group together, diverse value-driven civil society organisations that provide or produce goods and services, and therefore have developed a relationship with the market (Carmel and Harlock, 2008; Evers and Laville, 2004). The concept of the third sector was enthusiastically pursued and embraced by centre left governments across Europe in the late 1990s and early 2000s, with various 'Compacts', councils, and partnership arrangements agreed between governments and the third sector – usually in the shape of an umbrella body like Italy's Forum Terzo Settore, or the UK's National Council for Voluntary Organisations, which unites regional bodies. In both the UK and Italy, umbrella bodies have regional centres, and this is based on the same logic for seeking greater inclusion of civil society organisations in the first place – that is, closeness to constituents.

In grouping such organisations together in a specific sector, governments have tended to focus on the latter point on service provision and market relationships, and

decidedly not the former on diversity and values. However, in order to understand interactions on the ground between civil society organisations and policymakers it is crucial to recognise and unpack these tensions; in spite of government commitments to the blanket inclusion of civil society organisations, it seems unlikely that politicised organisations that are resistant to new regulatory regimes would benefit from participatory opportunities in the same way that organisations with values and structures more similar to government aims might do. For scholars in the FPS field exploring whether and how new governing architecture shapes opportunity structures for the SRW this has significant implications. In the preceding chapter I set out a definition of women's organisations as being part of wider women's movements that publically challenge the status quo in terms of the 'distribution and exercise of power' (Tilly, 1984: 306) on the grounds that they systematically disadvantage women – to varying degrees and for multiple and interlinked reasons (Weldon, 2002b). Women's organisations' position as challengers to the rules of the game is therefore important to note.

2.6. Questions from the perspective of FPS – what do these changes mean for the SRW?

We have seen above how scholars in the field of governance contest that the political environment has changed: central state power has been 'hollowed out' – dispersed to 'new sites' particularly the sub-state level, creating opportunities for the engagement of a wider group of actors in networks that cut across public, private and civil society sectors in 'new forms' of agency. We have also reviewed some of the tensions inherent in the literature which are of particular interest to FPS scholars, in particular the way in which theorising on governance can tend to paint a picture of these frameworks and structures as neutral – that is to say as offering all actors the opportunity to access the 'new sites' and 'new forms' of agency the narratives describe (Carmel and Harlock, 2008; Davies, 2005; Lowndes and Sullivan, 2004; Monro, 2007; O'Malley, 2004; Sterling, 2005).

According to the legitimacy or justice argument employed by policymakers in the construction of the third sector, civil society organisations are treated as a neutral category, to be engaged for the general good. Yet, in the pursuit of effectiveness and pragmatism, specific organisations with experience or expertise in the related policy

area are encouraged to engage with the policy process. Civil society organisations' priorities and the way in which they construct, view and aim to tackle specific issues may not always match governments' own priorities and view. Where formal arrangements are put in place to structure relationships between government and civil society within the third sector and push them towards common goals, this treatment of civil society organisations as 'neutral' may be brought into sharp relief, resulting in the exclusion of particular kinds of organisation. In a wider gender regime where formal political institutions have historically been structured according to masculinised norms there are implications for civil society women's organisations whose perspectives and practices may differ significantly. Although much of the governance literature may treat political institutions as neutral, as we have seen in chapter 1's review of the FPS literature, they are anything but.

Questions remain regarding whether and how some actors may benefit more from new democratic processes, depending upon how relationships are structured, the institutional context, the organisations' structure, and the policy area under discussion. Scholars within FPS have sought to examine these changes, but there are areas in the field which remain under-explored. Broadly speaking, these centre on how the following enable or constrain the SRW:

- interactions between formal institutions and informal institutions, norms and practices and;
- how relationships between policymakers and civil society organisations making claims for women are structured.

These are precisely the issues my research questions are set up to examine.

One clear opportunity to explore how changes in state architecture shape opportunities for and constraints on the SRW comes through examining new institutions at the sub-national level. They offer an advantage as many have explicitly aimed to generate a new political culture, including in their founding statutes clauses on greater citizen participation, and with that a commitment to equal representation of men and women and non-discrimination of other historically excluded groups. These new institutions espouse values of consensus and transparency, 'efficiency and openness to alternative voices and values' (Celis and Woodward, 2003: 176; Inglehart, 1997). Indeed, as Celis and Woodward explain, normatively speaking, 'regional parliaments

are strategically placed to take advantage of developments in European multilevel governance and act as a source of political innovation' (2003: 174-5). The genesis of a new institution is understood to be a crucial time in the development of its procedures and norms. Those expectations laid out in statutory requirements too, are thought to be fundamental in shaping the institution's culture (Kenny, 2006: 91-100). To that end, the assemblies selected as case studies for comparison in this project are both 'new'.

2.7. Case study selection – innovative regional assemblies formally committed to inclusion and gender equality

In the preceding chapter I have discussed the theorising around gender and institutional change, as well as the mixed results of empirical studies and the need for further, more systematic research, especially in relation to the effects of decentralisation of power and greater inclusion of civil society actors on the SRW. These two points of interest have driven my selection of the National Assembly for Wales (NAW) and the Tuscan Regional Assembly (Consiglio) as case studies for the project. They are both products of recent devolution of central state power, with the NAW coming into being in 1999 and the reformed Consiglio in 2001.

Most significantly for this project, the founding statutes and operational rules of both legislatures commit to and embody a normative 'new politics' agenda of inclusion and equality within their formal rules, and as we seen above this agenda has been tied to increased opportunities for women to participate in politics through the opening up of new sites and points of access, and therefore theorised as offering greater ability to influence policymakers (Mackay, 2008; McAllister, 2006; Vickers, 2011). The assemblies effectively represent a sort of best case scenario in terms of their formal commitments, and the idea is to explore whether, how and why this does in fact translate into improvements in the SRW across those regions. As I have discussed in the previous chapter, theoretical studies on gender and institutional change have tended to point to potential benefits of devolution, whilst empirical studies have tended to produce mixed results. Broadly speaking, where empirical studies have drawn positive conclusions, they have tended to focus on process, that is to say changes in the political environment and institutional cultures more conducive to the participation of non-standard actors and diverse voices. Where they have drawn more negative conclusions, however, empirical studies have tended to highlight disappointing

outputs, that is to say stasis in actual policy outputs and the difficulty actors have in translating increased participation in process to concrete influence over outputs (Franceschet, 2011).

In terms of their structure and composition, both are similar. They represent regions of a similar size – approximately 3.1 million citizens in Wales and 3.7 million in Tuscany – and comprise a similar number of elected representatives, 60 for the NAW and 55 for the Consiglio. The assembly members are elected according to a similar system, with both regions using proportional (PR) electoral systems. During the period of time under analysis in this thesis, both were governed by a coalition of parties of the centre left, and both have powers regarding similar policy areas. Both legislatures have adopted a mainstreaming approach; have 30% or more female legislators, with 50% female ministers (from the period 2005-2010 in Tuscany and 2007-2011 in Wales), and have rules which aim to ensure women are represented in positions of power within the legislature – for example committee chair positions.

The cases have been selected, then, on the basis of their potential information content: they represent critical cases and both have ‘strategic importance in relation to a general problem’ (Flyvbjerg, 2007: 395) – in this case the potential opportunities and constraints offered by ‘new’ legislatures and new forms of governing for the SRW. The evidence gathered across both can therefore be used to provide examples and interpretations from which wider conclusions can be drawn, but of course there are limitations to what my project can offer and the claims that I can make. Though I have selected these sites for comparison on the basis of certain of their similarities in terms of new formal rules, they are each nested in a particular institutional context, and these new formal rules will be mediated by and through specific sets of relationships and practices. An important element of this is the way in which each legislature is contained within a set of wider, state-level governing architecture which will affect the way in which decisions are not only taken, but also implemented. For reasons of capacity and scope, central government action (or inaction) on the issues of domestic abuse in the UK and Italy is not analysed in my thesis, which places a limitation on my findings. In addition, the conclusions I draw are time bound, as I am examining a particular period in the life of both cases, and policy-specific as I am using a policy case study in order to provide richer data and a manageable structure for my project.

2.7.1. The Welsh Case

In the UK, up until the election of the Labour government in 1997, and the formal transfer of powers to the devolved National Assembly for Wales on 1st July 1999, delegation of authority to sub-national administrations was extremely limited.¹⁵ There were territorial administrations in operation prior to devolution, but administrative authority was not equal to political authority or democratic accountability at the same level. One of the most significant arguments for devolution was that economic and social policy formulated by central government in Westminster was failing to meet the demands of Welsh (and Scottish) publics. Though devolution had been widely debated during the 1970s, under the former Labour government legislation which would have created devolved assemblies in Wales and Scotland was rejected. When the Conservative government was elected in 1979, discussions over possible devolution of power came to an abrupt end. Increasing opposition to the Conservative government throughout the 1980s and the growth of nationalist parties in both Wales and Scotland provided the context for the Labour Party's devolution agenda and manifesto commitments in the 1990s. As McAllister and Stirbu have observed, New Labour's devolution plans were allied to a 'lexicon of inclusivity' (2007: 3), with a distinct focus on widening citizen participation and addressing marginalisation and political disengagement.

The Welsh Assembly was initially established as a corporate body, with an integrated assembly and executive. The additional member system was also used to elect Assembly Members (AMs) who were to sit for a fixed four-year term. In this form, the Assembly had no legislative powers, only executive powers in specific areas (Bulmer et al, 2002).¹⁶ However, over the course of the first two Assemblies, AMs and the public alike began to question the workability of the corporate structure, and demands

¹⁵ Between 1920-72 there was a separate parliament for Northern Ireland. The Labour Party's devolution project also included plans for the re-establishment of a legislative assembly at Stormont, but the process has been much more complicated than that played out in Scotland and Wales. The Northern Ireland Assembly (NIA) was established in late 1999 but there have been several periods of suspension of its powers thereafter, with Northern Ireland coming back under direct rule. As such, this chapter discusses only the Welsh and Scottish cases, where devolved powers have not been suspended. See Wilford, 2004 for further detail on devolution in Northern Ireland.

¹⁶ These included education and training, health and social services, environment and agriculture, local transport infrastructure, industry and economic development and local government and housing (Bulmer et al, 2002)

for change from Wales resulted in the 2006 Government of Wales Act, which divided powers and established the National Assembly for Wales (NAW) and the Welsh Assembly Government (WAG) as the executive.¹⁷ The Act also granted the WAG power to make primary legislation in those areas in which it had previously had executive powers, with the NAW – structured according to a variety of Committees – performing a scrutiny function (Watts, 2007: 239-68).

In Wales, during the designing of the NAW, cross-party actors (from the Labour Party, from Plaid Cymru – the Welsh National Party – and from the Liberal Democrats) who had come together previously to campaign in favour of devolution, placed an ideal of inclusiveness at the core of their proposals. As Wyn Jones and Trystan explain, normatively speaking, ‘devolution was “sold” to the Welsh electorate by the Labour Party as a means by which the government of Wales could be made more “accountable” and more “inclusive”’ (2001:25; McAllister, 2006). Furthermore, in a specific recognition of women’s historically marginalised position, the Westminster government’s original devolution white paper argued that ‘greater participation by women is essential to the health of our democracy’ (Welsh Office, 1997: 2.1), illustrating that the creation of the Welsh Assembly was, as Chaney et al have argued, about modernising ‘not only government, but the prevailing mode of governance’ (2007: 135). This opportunity was exploited by women’s organisations across Wales who sought to become involved in the devolution process and the designing of the new Assembly. In addition, both the Welsh Labour Party and Plaid Cymru successfully employed particular strategies with their parties’ electoral lists for the first Welsh Assembly elections, in an effort to secure high women’s descriptive representation. The general feeling amongst women’s organisations in the region was that a new government in Wales would offer more opportunities for them to be involved in decision-making, and to influence its outcomes, than were presented by the Westminster model (Chaney et al, 2007; McAllister, 2006). Being engaged in institution-building right from the beginning presented activists with opportunities to press for solid commitments to gender equality and consultation with civil society organisations.

¹⁷ Following the 2011 Welsh regional elections, the Welsh Assembly Government has been renamed the Welsh Government. As my thesis refers to the first and second Assemblies, I will continue to use the term Welsh Assembly Government and the acronym WAG.

The clearest example of concrete commitment to the value of equality can be seen in the NAW's highly unique and innovative statutory equality duty. The statutory equality duty, first included in the 1998 Government of Wales Act and in the NAW's standing orders, placed an obligation on the NAW to 'actively promote equality' (Chaney 2002:27, emphasis in original). The text of the Act itself states that 'the Assembly shall make appropriate arrangements with a view to securing that its business is conducted with due regard to the principle that there should be equality of opportunity for all people' (Government of Wales Act 1998, Art. 48).¹⁸ As Chaney explains, the statutory equality duty was, at the time, the first of its kind, in that it not only prohibited discrimination, but it actually required the NAW to promote equality (2002). This has led to significant efforts being made to encourage reform aimed at mainstreaming gender equality. When the amended Government of Wales Act was passed in 2006 to enable the reform of the NAW to separate the powers of the original corporate body into an executive and a legislature, the clause on promoting equality was retained. The wording was, however, changed slightly to reflect the division of powers, and the text now reads: 'The Welsh Ministers must make appropriate arrangements with a view to securing that their functions are exercised with due regard to the principle that there should be equality of opportunity for all people' (Government of Wales Act 2006, Art. 77.1). Since it began work in 1999, the NAW has also retained a Standing Committee on Equality of Opportunity, the existence of which is safeguarded by statute. It was created in an effort to ensure 'the mainstreaming of equality in policymaking' (Chaney, 2002; McAllister and Stirbu, 2007).

However, it is worth noting that the norms expressed here around the equality agenda are not necessarily all to be interpreted in the same way: the notion of equality of opportunity is only one element or interpretation of a wider agenda to promote equality, which can be interpreted more broadly. I explore what these tensions mean in practice in the following empirical chapters, with my research questions explicitly set up to investigate the way in which the culture and discursive structure of the Assembly and its informal rules constrain or enable the SRW.

¹⁸ The Welsh Labour Party committed to the inclusion of an equality clause in the new devolution statute which would require the Assembly to promote equality, and subsequently the pro-devolution campaign group 'Women Say Yes' campaigned for its inclusion.

There are similarly strong formal rules which oblige the NAW to consult with civil society and with the third sector in particular. Assembly Ministers are obliged, again by statute, 'to promote the interests of relevant voluntary associations' in the exercise of their functions and to implement a 'voluntary sector scheme' (Government of Wales Act 2006, Part 2, 74 (1)). This commitment goes further than any made by other devolved legislatures in the UK, as it guarantees interaction through statute. From 2000-2007 the Scheme was implemented through the Voluntary Sector Partnership Council, which in 2007 changed its name to become the Third Sector Partnership Council (TSPC).¹⁹

The 2007-2011 Assembly TSPC was composed of representatives from 25 different interest areas representing marginalised groups – for example relating to women's inequality, sexuality, disability, discrimination against ethnic minorities etc., – who hold regular meetings with WAG ministers and representatives, as a way of representing their members' interests at regional government level. In both incarnations the Partnership Council has always been chaired by a WAG minister, and during the third Assembly from 2007-2011 the TSPC was chaired by the Minister for Social Justice and Local Government. The TSPC's brief is to make recommendations to the WAG with regards to its functions and responsibilities that affect or concern the third sector in some way. In addition, aside from dialogue with the TSPC, the WAG is obliged by statute to 'consult relevant voluntary organisations about the exercise of such of their functions as relate to matters affecting, or of concern to, such organisations' (Government of Wales Act 2006, Art. 74.4 (c)).

2.7.2. The Tuscan Case

In contrast to Wales, decentralisation in Tuscany was a much more top down process (Bull and Newell, 2005). The post-war Italian constitution of 1948 made provision for government at the regional level. However, in Tuscany – as in other Ordinary Statute Italian regions – this tier of government only came into being in 1970 (Desideri and Santantonio, 1997; Fabbrini and Brunazzo, 2003).²⁰ At this stage, Ordinary Statute

¹⁹ See earlier in this Chapter for a discussion on the 'sectorisation' of voluntary and civil society organisations and the significance of this change.

²⁰ See Fabbrini and Brunazzo, 2003 for a more detailed discussion on the origins of the 1948 Italian Constitution. Shifts in party politics at the national level during the late 1960s – with the

regional governments like Tuscany's were weak, administrative institutions, tasked simply with 'implementing policies and decisions established exclusively at the level of the central state' (Fabbrini and Brunazzo, 2003: 104). They had no primary legislative powers. Further reform to this system came in the 1990s, driven by the collapse of the entire Italian political system in the early part of the decade, and the subsequent increasing electoral support for the regionalist parties in the north of the country, like the Lega Nord (LN). Upon entering into the first Berlusconi coalition government of 1994-95 the LN pressed for regional devolution and discussions on federalism of one form or another became a more established feature of the political discourse.

This was followed in 1998 by legislative reform of subnational government under the subsequent left-wing government, with the so-called Bassanini Laws simplifying the administrative system and laying the foundations for larger-scale decentralisation (Cotta and Verzichelli, 2007). Finally, it was with the Constitutional reform of 2001 that the Consiglio in Tuscany – along with regional governments in the other ordinary statute regions – was restructured and reinvigorated as a sub-national tier of government with legislative power, and with its own members who were elected by popular ballot. As Bull explains, the reason for this reform was 'mainly political, and it had both to do with the continuing influence of the Lega in Italian politics and with the centre left's perceived need to respond positively to the demands of (mainly Northern) citizens and voters for greater regional autonomy' (2001: 198). The institutional transformation that occurred in 2001 was not, therefore, something that civil society organisations in the region, particularly women's organisations, were pressing for or particularly engaged in. Further, on a national level the referendum campaign for greater decentralisation was marked by strong divisions between the left and right, in contrast with the cross-party working seen in Wales. Though in this sense the context of decentralisation might appear less overtly positive and less overtly inclusive than in Wales, alongside more expedient reform drivers, the centre-left government which carried through the 2001 regionalisation programme also introduced legislation which stated that regions should seek to promote equal opportunities in elected positions, illustrating a more nuanced context (Guadagnini 2007; Ortbals et al, 2012).

Italian Socialist Party (PSI) entering into coalition with the governing Christian Democrats (DC) – put the regional question on the agenda again, resulting in the creation of the ordinary statute regions in 1970.

Partly as a consequence, in spite of the implied top down, expedient nature of the creation of the Consiglio, its new, post-2001 statute made a strong formal commitment to inclusion, equality and citizen participation that extends beyond the realm of elected politician (Bianchi, 2005). In terms of structural commitments to equality, and gender equality specifically, as in Wales, a Regional Equal Opportunities Committee (CRPO) is in operation. Its existence is guaranteed by statute. It differs from the Welsh Equal Opportunities Committee, however, in that it exists as a consultative body independent from the Consiglio itself; its members are not AMs but external actors. The CRPO's stated purpose is to scrutinise and monitor decisions or proposed legislation etc. made at the regional level to ensure 'the application of the principle of non-discrimination and equal opportunity between women and men' (Statuto Regionale della Toscana 2004, Art. 55.3). It can issue opinions on Consiglio decisions or proposed legislation etc., but these are not binding on the Consiglio. In Tuscany, as in Wales, the specific language on promoting equality of opportunity, and what that means in practice merits further investigation.

Unlike in Wales, ad-hoc consultation with civil society organisations is not a statutory duty but a choice for Consiglio AMs, who decide upon 'which subjects to consult, the methods and terms of the consultation' (Regolamento Interno della Regione Toscana 2005, Art.48.3). Instead, as regards formal rules that show the Consiglio's commitment to including civil society organisations in decision-making processes, we can point to several other distinct features of its founding statute. The first of these is the Permanent Congress of Social Organisations (CoPAS), an auxiliary organisation that is attached to the Consiglio and functions as a kind of umbrella group for civil society organisations in the voluntary and non-profit sectors in the region. It has consultative status with the Consiglio, and its self-stated aim is to act as 'the voice of civil society' when it is asked to give opinions on Consiglio decisions or proposed policy.²¹ Just like the CRPO, its opinions are non-binding, and it exists separately from the Consiglio itself, with members drawn from outside the institution. Obligations to create, support and consult CoPAS are supplemented by a statutory commitment to 'the protection

²¹ <http://www.consiglio.regione.toscana.it/copas/default.aspx> [Accessed 26th April 2009]

and the promotion of associations and voluntary work' (Statuto della Regione Toscana 2005, Art. 4, (q)).

In addition to CoPAS, the office of the Authority for Regional Participation has recently been established (Statuto della Regione Toscana, 2005). The Authority was created after new legislation was passed in 2007 which sought to encourage citizens to engage with policy- and decision-making processes through the use of deliberative fora, and represents 'the first example of a statutory source for personnel dedicated to participative democracy in Italian ordinance' (Ciancaglini, 2007: 1; Floridia 2008).²² Unlike the CRPO or CoPAS, however, the Authority for Regional Participation is mainly concerned with issues around town-planning and the use and development of public space, therefore although its remit does not overlap with the policy area this project focuses upon, its creation is still a strong signifier of the Consiglio's symbolic (at least) commitment to inclusion.

2.7.3. Critical cases

Across both sites, then, innovative and unique statutory commitments have been made with the aim of encouraging gender equality and civil society participation in decision-making processes. In terms of the former, the NAW retains the Equal Opportunities Committee as a standing committee, whilst the Consiglio's statute provides for an external, auxiliary committee tasked with scrutinising policy. And with regard to the latter, AMs have a statutory duty to consult with relevant external actors during policymaking; this is in addition to the establishing of the TSPC as a forum for regular consultation with the third sector. In Tuscany, whilst statutory obligations to consult with interested or relevant stakeholders outside of the institution do not exist as such, the CRPO, CoPAS and the Authority for Regional Participation are all mechanisms through which the Consiglio is obliged to consult external actors in civil society. Furthermore, the Consiglio's committees are able to arrange consultations with voluntary sector (and other) actors when consultation is perceived to be appropriate. It is left to the committees themselves to decide upon 'which subjects to

²² The process by which the legislation on participation itself was developed was much more bottom-up and participatory, and in that sense it resembled more closely the Constitutional Convention that was called in Wales. Interested actors – either groups or individuals – were given a number of opportunities to contribute to or propose changes to the proposed legislation during all stages of the policy process. See Floridia 2008 for further details.

consult, the methods and terms of the consultation' (Regolamento interno della Toscana, 2010, Art. 48.3).

The existence of these features across both cases is a strong marker of the symbolic commitment each new regional government has made to an agenda of inclusion and equality – albeit with a focus on equality of *opportunity*. What I do in the empirical section of the thesis is explore: whether and how these new formal rules are enacted and how they interact with informal norms and routines, whether and how they constrain or enable the participation of women's organisations seeking to substantively represent women in the policymaking process, and whether and how they affect their opportunities to influence policy outputs. To do this I use data from one specific policy case study, that is policy relating to domestic abuse, and I go on to discuss this in the following research design and methodology chapter.

As detailed in my research questions in the preceding chapter, crucial to my analysis is the examination of informal rules and norms which also shape actors' behaviour, and their interaction with the formal rules laid out above. As Leach and Lowndes explain, 'changes in formal arrangements are being interpreted on the ground through an institutional filter of beliefs, assumptions and practices that typically emphasise traditional values and ways of doing things' (2007: 184). In other words, transforming formal rules by no means transforms actors' behaviour, and even where new formal rules make a commitment to values of inclusion and equality, existing routines, normative expectations and cognitive frames may frustrate the ambitions of those seeking to substantively represent women. Furthermore, informal rules and norms operate in a broader context than the immediate environment of each assembly itself. They are also shaped by society as a whole, that is, at the national level and beyond, as opposed to simply at the regional level. In that sense, one crucial difference to be aware of between cases in terms of informal norms is the Catholic heritage of Italy, where, in terms of formal politics, the post-war period was for a long time the domain of the Christian Democrat party, as opposed to the case in the UK and in Wales, where there has been a far less overt connection between the Catholic Church and wider society (Ortbals et al, 2011).

2.8. Conclusion

In this chapter, I have set the context for the empirical investigation this thesis undertakes. Rather than describe and define shifts in governing processes as the straightforward and neutral dispersal of power through re-made formal frameworks, I have conceptualised of governance as a dynamic and contested activity and approach, where the informal dimension matters and merits further exploration. I have argued that theorising on governance processes as restructuring political institutions to open out the exercise of power can be useful in underpinning my analysis of the way in which changes in the political environment have opened up or closed down opportunities for the SRW.

Following this discussion, I have introduced my two case study regions, outlining why and how they are of particular interest and use in providing answers to my research questions. I have also acknowledged the limitations that are inherent in focusing on these two specific regions, which have significant similarities but are nested in particular institutional contexts, not least of all in terms of their links back to the central state. In the following chapter I outline my research design and methodology.

CHAPTER 3. RESEARCH DESIGN AND METHODOLOGY

Texts are often sites of struggle in that they show traces
of differing discourses... contending and struggling for dominance.
(Wodak, 2007: 187)

3.1. Introduction

This project is set up to explore the issue of the SRW, and whether and how it is enabled or constrained in new regional political institutions which advocate equality and inclusion in the formal rules which structure them. As I have discussed in the preceding chapter, the newness of the assemblies is of real interest, since in the field of FPS scholars have hypothesised that changes in the political environment through decentralisation and devolution have generated new institutions which may provide greater opportunities for women's participation in policymaking processes, and greater influence on their outputs (Celis and Woodward, 2003; Mackay, 2008; McAllister, 2006; Vickers, 2011). In chapter 1 I have outlined this issue as one of importance within the wider field of FPS where scholars are working from a normative perspective (and this is where I have situated myself), seeking to make sense of the ways in which women and their concerns have historically been excluded from the formal political sphere, and redress this power imbalance through promoting understanding of how actors making feminist claims can be heard, and how their claims can affect change.

The research questions detailed in section 1.5 of chapter 1 distil the wider issue into more specific and researchable questions for analysis, where the focus is on how the following affect the participation of those making claims for women, and their influence over policy outputs:

- a. cultural and discursive structures
- b. political structures and formal rules and informal norms,
- c. and the nature of relationships and links between insider and outsider actors

My empirical analysis examines what the introduction of new formal, statutory commitments to inclusion and equality mean on the ground in my case study assemblies, how these values and rules are interpreted and enacted by actors and mediated through more or less embedded, pre-existing informal norms and values which are shaped by their gender regimes and wider gender order.

So, the project explores relations between meso-level social structures (specific groups and sites) and micro-level phenomena (individuals and their actions). The fact – for reasons of capacity and researchability – I am only looking at two specific case studies, one policy area, and a specific range of actors means that the conclusions I am able to draw are context-specific and time bound. Though my findings are valid for these cases, they would need to be investigated across other sites or regions in order to draw any wider conclusions on more macro-level issues like women's inequality. That said, with my project I hope also to provide some knowledge (or support that which already exists in the field) which might be of practical use to gender equality activists regarding which sites or methods might best enable them to pursue their claims.

3.2. Conceptual framework

In the interests of both transparency and practicality it is necessary for me to set some parameters regarding the concepts and relations that my research questions are set up to explore.

First, to address which actors my research questions cover. As explained in chapter 1, I examine the participation in the process of policymaking on domestic abuse of a specific group of actors. These actors are groups and individuals – inside and outside of the assemblies – making claims for women in the chosen policy area which can be said to substantively represent women's interests according to the definition given in chapter 1, section 1.2.1: that is to say claims which identify a power imbalance between men and women as social group, and seek to redress it (Celis, 2009; Wängnerud, 2000).

Inside of my case study assemblies this means elected representatives – Assembly Members (AMs), but in terms of outsider actors this could encompass a large number of groups or individuals, from women's organisations, to healthcare professionals, to individual survivors. As I have discussed in the preceding chapters, FPS scholars have called for further work which looks beyond the role of individual legislators to women's organisations in civil society (Weldon, 2002a), and in particular in new institutional contexts which claim to offer more open governing processes (Mackay, 2008; Vickers,

2011). So, women's organisations in my two case study regions are my primary focus in terms of outsider actors within the thesis, and in particular feminist women's organisations. The choice of feminist women's organisations derives from my focus on the SRW as defined above, and is evidently linked to the normative focus of the project. Organisations fitting this definition will necessarily be considered feminist by virtue of the fact that they recognise male dominance over women in the public and private spheres and seek ultimately to dismantle it (Ortbals et al, 2013). I have also, in addition, considered contributions made to the domestic abuse policymaking process by other outsider actors, specifically: statutory organisations like the police and groups of healthcare professionals; multi-agency groups comprised of women's organisations, AMs and others; and (in Wales) men's organisations. The function of examining the participation and influence of these groups is to compare and contrast it with that of the women's organisations in the region.

In analysing the nature of the relations between these actors, as set out in research question one, I assess whether and how they are proscribed and established by formal rules (for example as in partnership arrangements), or whether and how they have been formed on a more personal and informal basis. I explore what – if any – the effects are on each set of actors in terms of their participation in the policymaking process and their influence over its outputs where there are differences in the nature of relationships.

Second, I must address the formal/informal distinction present in both research questions and provide an explanation of what is meant by the cultural and discursive structures, informal norms and values, and also formal political structures, formal rules, and formal statutory commitments to inclusion and equality – phenomena which are related. I have alluded to how formal rules and informal rules, norms or values can be distinguished from one another in chapter 1, section 1.4. Formal rules are the product of conscious design by actors. Generally speaking they are written, and specify what is formally required, permitted or prohibited of the actors to whom they apply (Lowndes, 1996; Ostrom, 1999). These, then, are the institutional arrangements and organisational structures defined by concrete (written) guidelines such as establishing statutes or standing orders. It is these two types of document that I have analysed across both case studies to provide data on their formal political structure and formal

rules. They relate to political structure in the sense of the formalisation of the relationship between the elected and the electorate and the structuring of authority and distribution of resources within and outside the assemblies, and are the products of conscious design: they include rules on the electoral system, and the composition, competencies, functions and duties of the assemblies (Lowndes, 1996). They therefore contain any formal, statutory commitments to inclusion and equality that have been made across both cases, though where these have been supplemented by further instruments or mechanisms laid down by statute which oblige inclusion or equality I have analysed these, too. These instruments might take the form of legislation or guidelines which oblige consultation with relevant civil society organisations on new policy proposals or at specific time intervals. They could also include the building of third sector partnership arrangements with the under-represented constituency, or a commitment to positive action in order to increase the number of female legislators present in the legislature.

However, the cultural and discursive structure of the assemblies and their informal rules and norms are different, and may be harder to pin down. By contrast with formal rules and structures they are largely unwritten and not specified in accessible documents, and are not the product of conscious design. Rather, they are shaped by wider societal conditions and privileged societal values within the wider gender order, and also the more immediate social institution and environment, which here constitutes the assemblies themselves, which have their own particular gender regimes, and the specific context in which interactions take place, for example a plenary debate or committee meeting. These conditions and values inform the everyday articulation and understanding of ideas by groups and group members, and shape their habitual actions and processes (Lowndes, 1996; Schmidt, 2008). That is to say that these more intangible, informal structures and rule sets influence role-learning and the informal norms of behaviour prescribed to particular roles. Specific policy proposals, individual representative acts and wider institutional programmes are all mediated through the actions and perspectives made available by institutional cognitive scripts, and valued, framed and legitimated according to their appropriateness in relation to hegemonic, gendered discourses shaping the issues at hand (Ball and Charles, 2006; Hall and Taylor, 1996; Schmidt, 2008).

3.3. Research design – justification and challenges

In the preceding chapter I have outlined the fact that mine is a qualitative, comparative study. I have chosen a qualitative study because the research questions I have set are directed towards exploring complex social, relational phenomena in some depth and taking into account their context. They aim to understand the experience of a specific group of actors and the relations between them. And I have opted for a comparative study as it allows me to explore – and not test – some of the emerging hypotheses in the FPS literature concerned with ‘the ways in which political processes work’ (2008: 28). Indeed, scholars in the field have called for more comparative research on the SRW which would help to better understand ‘institutional gender processes and outcomes’ (Chappell, 2006: 224).

In terms of whether another design might have been appropriate or indeed beneficial, I would argue that a quantitative design would not provide as suitable a framework for exploring links between individual and group actors’ interpretation and understanding of their context, and how that translates into action. Further, I am not trying to prove or disprove hypotheses in the literature. Even if I were, it would be extremely tricky to try to quantify and measure the key concepts I am addressing, and to control for the effects of certain factors. Given that scholars in the field of FPS have explicitly called for more comparative work, the issue here is whether other cases might have better suited the research questions. I would argue that the Welsh and Tuscan cases provide singularly appropriate cases to explore the issues I have set out given their uniquely advanced statutory commitments to equality, both within their own state and the wider European system. In addition, there are a significant number of other steady similarities between the two in terms of formal structures which provide space for an in depth analysis of the more hidden, informal aspects of the policymaking process highlighted as being of particular interest throughout the review of literature in chapters 1 and 2.

3.3.1. Case study selection

In chapter 2 I have also detailed the rationale behind selecting the NAW and the Consiglio as my case study regions, given their status as critical cases and their potential for providing rich data and interpretations on the phenomena my research questions set out to explore – namely the opportunities for and constraints on the SRW

in new, regional governing architecture which advocates inclusion and equality. I have outlined the similarities between cases in terms of the newness of the assemblies, their symbolic and formal commitment to a new politics agenda including through the presence of statutory commitments to inclusion and equality, and the set up of specific structures charged with pursuing these aims. But I have also highlighted the fact that each is nested in its own institutional context, pointing, for example, to the differences in the way that women's organisations were (in Wales) or were not (in Tuscany) involved in establishing the assemblies, or the presence (in Wales) and absence (in Tuscany) of a consciously more conciliatory, co-party style of working where traditional left-right ideological divides can be less pronounced.

It is important to point out here, given the above discussion on formal, political structures and rules and how I have defined them in this project in relation to informal, cultural and discursive structures, values and norms, that these structural similarities and differences between the cases need to be factored into my empirical analysis of the participation of women's organisations in the policymaking process, and their opportunities to affect policy outputs, and that they have implications for my findings.

My express aim in selecting the NAW and Consiglio was to select cases where there were enough formal structural similarities to help with comparison across cases when it comes to explaining my findings – in a sense to try to provide space for analysis of informal elements as key explanatory factors, particularly where divergence across cases or from formal rules is concerned. But it is evidently not the case that the formal structures of the assemblies have no bearing on my findings. For example, in terms of their formal political structures, that both assemblies operate a PR electoral system and have been governed by parties of the centre left during the period under study. Both of these factors have been associated with increased legislative representation for women (Ortals et al, 2011), and I need to be aware of the potential explanatory power of the political and electoral dynamics of the assemblies in any conclusions I draw from my empirical analysis.

Further, and in terms of the cultural and discursive structures of the assemblies, it is particularly pertinent for my analysis that in terms of the wider societal context and gender order, we might expect the Tuscan case to be marked by Italy's Catholic

heritage in a way the Welsh case would not be. Again, this matters for the conclusions I can draw from my empirical analysis, as where there are differences in the level of participation of women's organisations, or differences in the extent to which new formal rules are embedded, or differences in women's organisations influence over policy outputs, I cannot simply point to factors internal to the assemblies as the only explanation, and must take into account this wider context.

3.3.2. Policy case study selection – domestic abuse as a particular interest for the SRW

In the preceding chapters I have explained that I use a specific policy case study for the thesis – policy on domestic abuse. In chapter 1, section 1.2.1, I have discussed how definitions of the SRW are centred upon the concept of women's interests, which could in theory relate to any number of policy areas. So, in order to make the research questions manageable, given the project's scale, the SRW is conceptualised in relation to the specific women's interests of domestic abuse. This policy area has been selected in relation to three factors. First, these are priority women's issues as defined by women's organisations in Wales and Tuscany and beyond, and as such the policy area follows the definition of SRW used in this project – it is an issue on which these groups have spoken out and offered proposals to improve the situation. Second, health services and certain policing responsibilities are devolved in both cases and policy delivery in these areas is typically the responsibility of a variety of agencies including civil society and third sector organisations, meaning it presents an ideal case to explore the issues my research questions are set up to tackle; and third, domestic violence is a less ideologically polarised issue than many taken up by women's movements, meaning that across both regions most groups take a similar approach in identifying the causes and consequences of and strategies for fighting against domestic abuse. This is important as it provides a more stable platform for comparison across cases where we are comparing – to the extent possible – like with like.

In previous studies on the SRW where a particular policy area or set of policy areas has been analysed, two main methods of selection can be identified. First, some empirical studies have tended to focus on the wider category of women's interests and operationalise these as causes explicitly taken up by feminist movements, such as access to abortion or healthcare, or combating discrimination (Dodson and Carroll,

1995). The disadvantages of this model are clear – ‘women’s’ interests are not necessarily ‘feminist’: so, in the case of abortion, for example, studies counting actions in favour of the provision of abortion as substantive representation conflate women and feminist women. Where this method is used it is the individual researcher who defines what women’s interests and needs are, and as such it is hard to make comparisons across countries, cases or contexts. In addition, unless the researcher is careful, studies using such a framework risk giving a closed or essentialist content to women’s interests (Celis, 2009). Since women’s interests are explicitly those of a group, individual definition of what does or does not ‘count’ is problematic (Weldon, 2002a).

Other research has sought to counteract these disadvantages through more transparent and systematic operationalisation of women’s issues, using broader women’s movement activity and interests at the time of the study as a proxy (Ball and Charles, 2006; Swers, 2002; Dolan 1997). In Swers’ study on the US Congress, the five most active liberal and conservative women’s organisations claiming to represent women’s interests in the USA selected the issues that her study analysed (2002). This form of thematic selection allowed women’s issues to be defined by the women’s movement, and allows more scope for comparison between cases, so long as the methods used to identify key interests from women’s movement activity are the same.

There are, however, dimensions of this conceptualisation that require further clarification in particular regarding the definition of ‘women’s movement’ used, which affects the research design and the actors examined. In addition, whatever the definition used, it is unlikely that all women will identify with and support the claims the chosen women’s movement makes (Celis, 2009). Where the women’s movement is identified only with feminist or ‘progressive’ organisations, this will necessarily exclude some women. To take abortion as a (problematic) example, organisations making claims for women run the gamut from pro-life to pro-choice. It is highly likely that a progressive, leftist definition of the women’s movement would, then, exclude pro-life organisations and the research design would focus only on the activities of a particular section of the women’s movement.

Arguably, it is impossible to design a project which uses a definition of a women's movement or women's organisations which is universally accessible. What it is possible to do, however, is be transparent as regards the definition I am using: as detailed in section 3. 2 I am primarily, but not exclusively, exploring the actions of feminist women's organisations. This has implications for the conclusions that I can draw from my findings, chiefly that they relate to a particular sub-set of women's organisations, and not broader women's movements.

That said, at the European, national, and regional levels, domestic violence (often within the frame of wider work on violence against women) is an issue which is tackled and represented by women's movement organisations across the board (Ball and Charles, 2006). At the EU level, the European Women's Lobby (EWL), in addition to its work in other areas including parity democracy, migration and asylum, and social policy and employment, prioritises violence against women, retaining a special observatory on violence against women. The observatory is run by the European Policy Action Centre on Violence Against Women (EPAC VAW), an NGO 'working to achieve equality between women and men through the elimination of all forms of male violence against women', including domestic violence.²³

At the national level, according to figures from ISTAT, 2.9 million women in Italy have suffered from domestic violence.²⁴ Italian women's organisations have been lobbying the government since the 1970s on the issue of violence against women, including domestic abuse. Fifteen years ago, for example, 'activists took to the streets in frustration, circulating a nationwide petition to demand government action' (Weldon, 1, 2002b). For years after, however, the Italian government remained unmoved and women's organisations have continued their activities and campaigns (ibid). Large nationwide organisations like *Donne in Rete Contro la Violenza* (Women's Network Against Violence), a network made up of 54 women's organisations established in 2008, continue to work around issues of violence against women and domestic violence.²⁵ At the regional level, activity is particularly intense. There are women's organisations in every region in Italy providing services and campaigning for those who

²³ <http://www.epacvaw.org/spip.php?rubrique3> [Accessed 16th December 2012]

²⁴ <http://www.istat.it/it/archivio/violenza> [Accessed 24th June 2009]

²⁵ <http://www.direcontrolaviolenza.it/> [Accessed 26th June 2009]

have suffered from domestic violence, like Artemisia in Tuscany or the Casa Delle Donne Maltratte in Lombardy.²⁶ All this goes to demonstrate that domestic violence is very much a contemporary women's interest in Italy. Likewise, in the UK, statistics suggest that around three million women a year suffer from domestic or sexual violence.²⁷ Similar to Italy, women's movement organisations have been lobbying the government on issues of domestic violence since the 1970s (Ball and Charles, 2006). At the national level, organisations like Rape Crisis, Women's Aid and End Violence Against Women (EVAW), the latter a coalition of individuals and organisations, continue to campaign and lobby for an end to violence against women, including domestic abuse. Activity is also strong in the devolved nations, with organisations like Hafan Cymru in Wales providing both services and lobbying regional and local government.²⁸

Yet in both case studies under examination in the thesis, Wales and Tuscany, activity on domestic violence issues is not limited to feminist, leftist/progressive groups. Other organisations like the Women's Institute (WI) in Wales, or church groups in Tuscany, and police and healthcare providers across both regions are engaged. Domestic violence appears to be an area whereby groups from across the political spectrum can broadly agree on the need for action, as opposed to other 'traditional' women's issues like abortion, where ideological differences between the left and right, as well as interventions from church groups, create divisions (Weldon, 2002b). In terms of the research aims of the thesis, selecting domestic violence as the women's interest or issue under investigation provides the opportunity to capture in-depth data on a rich, complex web of interactions. As Abrar et al explain, 'domestic violence policy is... complicated by the involvement of actors at different levels of the political spectrum who have different priorities, constraints and traditions including professional values and organisational cultures' (2000: 239).

Though in some social policy literature there has been a tendency to emphasise the role of civil society organisations as service providers under the contract of the state, we must also recognise that 'voluntary associations have played an important role as

²⁶ <http://www.artemisiacentroantiviolenza.it/index.php?n=Artemisia.Donne>;
<http://www.casadelledonne-bs.it/> [Accessed 26th June 2009]

²⁷ <http://endviolenceagainstwomen.org.uk> [Accessed 16th December 2012]

²⁸ <http://hafancymru.co.uk> [Accessed 23rd September 2009]

campaigners as well as service providers in respect of welfare' (Lewis 2004: 171). Partnership and cooperation between the state and the voluntary sector in civil society in addressing certain social problems appears most common under certain sets of circumstances, for example where resistance to direct state intervention has traditionally been strong, and where the state sees advantages in co-operating with voluntary or other associations. Domestic abuse certainly falls into the former category – whereby much evidence suggests that women are reluctant to report abusive partners to public authorities given the complex and sensitive personal relationships at stake, and instead choose to access support and services provided by women's organisations. Women's organisations, in turn, have tended to be reluctant to co-operate with the state for fear of losing their autonomy and 'women-centred' ethos (Mooney, 2000). It is both practically and methodologically justifiable, therefore, to focus on this particular policy area in depth in order to draw conclusions.

3.4. Methodology and methods

I use critical discourse analysis (CDA) as the methodological approach for my empirical analysis, gathering data through documentary analysis and semi-structured interviews.

3.4.1. Methodological approach – critical discourse analysis

My research questions are in particular set up to examine relationships between formal rules and structures which commit to equality and inclusion, and informal institutional norms, cultural and discursive structures, and to explore whether and how this constrains the SRW. They seek to investigate frames of meaning and how they enable or constrain action: what meanings are constructed through formal and informal institutional context and relationships between actors, how are they gendered, and what 'ways of seeing' and 'ways of being' in the world do they generate (Willig, 2001: 107)? In any investigation of meaning and action, the benefits of a discourse analytic approach are self-evident, and this is precisely the approach I take in my collection and analysis of empirical data (Wodak, 2007). Specifically I use CDA as the methodological framework for the project given its compatibility with my overarching aims for the thesis, in addition to the potential it has to provide detailed insights into and interpretations of the relations and phenomena my research questions are designed to explore.

There are other forms of discourse analysis (DA), but these can be differentiated from CDA by their focus on individual linguistic units, as opposed to CDA's interest in wider social phenomena (Wodak and Meyer, 2009). As Fairclough explains, though CDA is a broad approach, research that follows a CDA framework tends to display three key features. First, that it does not just analyse discourse as a self-standing phenomenon, but it also analyses 'relations between discourse and other elements of the social process' (2013: 13). Second, it is not simply a matter of providing a commentary on discourse – it must also include 'some form of systematic analysis of texts' (ibid: 13). And finally, it is normative – it identifies and seeks to address social problems (ibid). It is for these reasons that I have opted for CDA over any other DA approach.

First and most obviously, CDA is a critical and 'unabashedly normative' approach (Van Dijk, 1993: 253). As Wodak and Meyer explain, CDA is critical in the sense that it is problem-oriented, that is to say 'oriented towards critiquing and changing society' (2009: 6). In general, analyses are focused on broad 'social wrongs' like inequality, and the primary focus of CDA tends to be on how power and power relations, and in particular their discursive aspects, produce these 'social wrongs' (Fairclough, 2013: 9). Of course, what we define as 'right' or 'wrong' is inherently normative, and there can be no 'neutral' position in CDA (Van Dijk, 1993: 253).

CDA's typical focus on 'social wrongs' or social issues means that the approach is generally used to tackle problems which do not neatly fit within the parameters of a traditional academic discipline. For example, in studying a social issue like poverty it would be short-sighted to argue that we need only apply the tools and theories of economics to understand it in its totality, when the historical, educational, cultural, geographic and class (and the list could go on) dimensions of the phenomenon are clear. As such, CDA has been identified as a multidisciplinary or 'transdisciplinary' approach, which cuts across traditional disciplines and uses theories and tools relevant to the issue at hand in order to explore and expose interconnections (Fairclough, 2013: 6; Wodak and Meyer, 2009). The ultimate aim for the approach as a whole – however lofty – is to produce knowledge which might challenge, mitigate or change the 'social wrongs' identified, though in section 3.1. above I have set myself much more modest aims for this project (Fairclough, 2013: 9).

These three fundamentals of CDA make it an excellent fit for my thesis, which, as I have set out in chapter 1, takes an expressly critical and normative approach to address a specific sub-set of issues - related to the SRW of women – which are very clearly a function of women's historical exclusion from the formal political sphere at the meso level, and the 'social wrong' of women's wider inequality at the societal or macro level (Fairclough, 2013: 9). I have made clear that from a normative perspective I situate my work with the FPS field, and that my aim is to contribute new data and interpretations to inform ongoing theory building therein. That CDA is a multi- or transdisciplinary approach is also particularly beneficial for my project, where I am using theory and tools from mainstream political science, FPS, sociological institutionalism, governance, and social policy.

CDA as an approach focuses on social relations, and in particular on the role of language and discourse in reproducing unequal power relations where one social group dominates another. Analysis of power within CDA approaches relates to social power, which Van Dijk contends:

is based on privileged access to socially valued resources, such as wealth, income, position, status, force, group membership, education or knowledge... Power involves control, namely by (members of) one group over (those of) other groups. Such control may pertain to action and cognition: that is, a powerful group may limit the freedom of action of others, but also influence their minds... 'modern' and more effective power is mostly cognitive, and enacted by persuasion, dissimulation or manipulation, among other strategic ways to change the mind of others in one's own interests (1993: 254).

This later, cognitive form of control is mediated by and through text and talk and is about how beliefs, attitudes, norms and values are influenced and shaped. Analyses tend to focus on elites as power holders, as they tend to have greater access to 'discursive and communicative... resources' (ibid: 255). This might mean that they have more freedom or opportunity to participate in or set the terms of 'communicative events' (ibid: 256). Consider the example of the doctor-patient relationship here, where not only does the doctor as a general rule have the training, professional status and

discursive resources available to make a 'legitimate' diagnosis of the patient's needs, he or she is also usually operating in their own environment, setting the terms of the consultation, asking questions and recording notes. And when we talk in terms of control over access to discursive and communicative resources, the implication is not only that those elites with greater control are more able to control social action – so returning to the doctor example that where he or she issues a prescription, the patient would take it – but also that they are able to control social cognition (Van Dijk, 1993). Or, to use Carla Willig's terms, discourses not only shape 'ways of being' in the world, they also shape 'ways of seeing' the world (2001: 107).

CDA, then, understands discourse, that is to say the language we use in text and talk, as an active process or 'social practice' (Fairclough and Wodak, 1997: 258). When people use language they 'do so in ways which are determined socially and have social effects', they use language according to social convention, and as it can help to maintain – or change – social relationships (Fairclough, 2001: 19). Much of this discursive activity that goes on in the everyday is obfuscated and remains unchallenged, and one of the major advantages that CDA offers is the prospect of uncovering these hidden power relations (Wodak and Meyer, 2009). CDA is not just an approach which allows us to analyse text, but also 'the relationship between texts, processes and their social conditions, both the immediate conditions of the situational context and the more remote conditions of institutional and social structures' (ibid: 21). My research questions are explicitly directed at an exploration of how the institutional context across my two case studies constrains or enables the SRW, with a particular focus on the role and interaction between formal (written) rules, informal norms and cultural and discursive structures, and the nature of relations between insider and outsider actors in doing so, making CDA an ideal approach to use.

Of course, taking CDA as my methodological approach has implications for my project, the sort of analysis I can undertake, and the conclusions I can draw. Most obviously, the meanings in the texts and talk I examine in the empirical chapters are not fixed, and my specific analysis of these texts represents only one interpretation. Second, and related to the above is the idea that CDA as an approach does not provide any hard and fast rules for conducting the analysis of texts or talk, and as such how I draw conclusions from the empirical analysis risks appearing opaque. I have tried to mitigate

against both of these key issues to the extent possible (or indeed desirable where the first is concerned) by making sure that my analysis is transparent, and the steps in the process are clear to the reader, and also through supplementing documentary analysis with interviews in order to triangulate my findings. This is with a view to ensuring my conclusions are robust enough – albeit that they remain context specific – to provide insights of use in the field of FPS. I go on to discuss these strategies in more detail in the following section.

It is fair to say that an ethnographic approach to my project might also have been a beneficial one, in the sense that it, too, focuses on social relations, behaviours, perceptions, and interactions. Though what makes ethnography is open for debate, there is some agreement that the basis of ethnography is to have an in-depth understanding of the way in which the group of interest to the researcher sees and lives in the world (Hammersly and Atkinson, 2007). However, ethnography generally ‘involves the researcher participating... in people’s daily lives for an extended period of time’ (ibid: 3). It is this participative dimension of ethnography that makes it a less good fit for my project for two main reasons. First, my research questions are set up to explore *retrospectively* policy development and outputs across both my cases. Therefore, any analysis I undertook seeking to connect my fieldwork experience with processes which had already taken place would need careful consideration and explanation. Second, and more practical, researchers like me face a perennial access issue when seeking to gain entry to formal political institutions, and on the basis of my preliminary fieldwork in Tuscany I considered that this would be a particular issue there.²⁹ Without the opportunity to gather rich and detailed data on my participation in the everyday lives of the assemblies an ethnographic approach would be tricky indeed.

3.4.2. Fieldwork

I conducted fieldwork over two 16 week periods at each site, between April 2010 to August 2010 in Tuscany, and between April 2011 to August 2011 in Wales. My initial plan had been to systematically observe weekly meetings of different scrutiny committees, weekly plenary sittings of each assembly, and any smaller committee meetings or structured consultations with external organisations. My aim with the

²⁹ Issues of access to both assemblies and their AMs and the implications of this for my analysis are discussed in the following section, 3.4.2.

observations was to gather data on interaction between actors, to understand better how the assemblies function on the ground and how formal rules are interpreted and mediated by informal norms. In particular, I sought to attend committee meetings where external civil society actors were invited to participate, in order to observe the dynamics. Specifically, I was interested in: who would set the agenda, who would chair the meetings and how, and the form discussion and exchanges would take. My hope was that I would be able to use CDA to analyse this data in addition to the extensive documentary data and interview data I collected. Control over the context of a communicative situation – that is to say having control over the time, place, participants, themes and running order etc. of the situation – is one way of ‘enacting power’ (Van Dijk, 1993; 259). My plan was to analyse any patterns of inclusion or exclusion, and on what terms, in order to draw conclusions on power relations between insider and outsider actors. Of course, that some groups maybe excluded or not active participants in a particular situation does not necessarily imply their subjugation, but where exclusion or lack of active participation appears unreasonable according to the formal rules set for the assemblies, we can begin to draw conclusions on the exercise of power (ibid).

However, I found gaining access to the Consiglio in particular to conduct observation extremely difficult. Whereas at the NAW, plenary session and committee meetings are open to the public without having to arrange special access, the situation is not the same in Tuscany.³⁰ The Consiglio’s statute says that members of the public may view plenary sittings, but in practice organising this with the clerks is complex. As a consequence, I was only able to attend two plenaries and two committee sessions in Tuscany, compared to eight plenaries and six committee sessions in Wales. Given the very low numbers here, I have used the data and insights from these observations to inform the introduction to this project, and discuss difficulties in access further in the conclusion to the thesis. In addition, the minimal observation data that I was able to gather over the two fieldwork periods whilst useful in terms of providing context, does not directly relate to the interview and documentary data on the specific domestic abuse policy process in both cases.

³⁰ However, where committee meetings in the NAW are concerned, members of the public in the viewing gallery can (and are, as I was on several occasions) asked to leave when the committee would like to go into private session.

3.4.3. Methods

3.4.3.1. Documentary analysis

I have explained above that one of CDA's potential disadvantages is that there is no agreed way of 'doing' the analysis of text or talk (Wodak and Meyer, 2009). Rather CDA scholars offer a set of general principles for conducting analysis, centred on exploring how texts are produced and interpreted by actors, how they relate to the meso- and macro-environment, and what 'ways of seeing' and 'ways of being' in the world they open up or close down (Willig, 2001: 107; Fairclough, 2001). The idea is to trace an arc between discourse, cognition (in the individual and at group level), and action, where actors produce and interpret discourse according to scripts or models which include representations of themselves and other subjects or objects, drawing on generalised perceptions or beliefs which derive from their wider social context. Since the core of my empirical data and analysis relating to the concepts in my research questions – the political and formal structures of the assemblies, their statutory commitments to inclusion and equality, their cultural and discursive structures, their informal norms, and the relations between actors – derives from text or documents, I need to be more clear about the process I go through in the thesis.

To do this I have grounded the project in an existing theoretical framework, adopting a six-step framework for analysis design by Willig (2001). The first element, discursive constructions, focuses on the way that **objects** – for example the NAW or the Consiglio – are constructed within the text. The task is to examine what objects are referred to and how they are described, both in terms of explicit and implicit references (Parker, 1992). The next step, **discourses**, involves examining all the references that go towards constructing the discursive objects in order to identify any differences between constructions. Discourses are constitutive of various representations of reality, and different constructions of discursive objects may serve different purposes; as Parker explains, 'analysis is facilitated by identifying contradictions between different ways of describing something' (ibid:13). For example, the Consiglio's statute constructs the Consiglio itself as an object. At various instances throughout the text, however, it will be constructed differently, sometimes as an instrument for the community, controlled by it, or at other times as a body which structures the community and controls citizens.

These differing constructions have different functions within the text, and set up the possible actions available to subjects differently.

Action orientation, the third step, involves an examination of the particular contexts within which 'the different constructions of the object are being deployed' (Willig, 2001: 110). Differing constructions of the object will have different functions in the text, and in order to analyse these we must ask ourselves questions such as why is this particular construction of the object being deployed at this particular instance in the text? When we focus on action orientation, we are able to build up a picture of the organisation and function of each of the differing discursive object constructions – what they are able to do in the text (ibid). So, to follow the Consiglio example, in the Consiglio as instrument construction, a space where subjects – say women's organisations in our case – can act on their own terms is generated. However, in the Consiglio as controller construction, very little space is generated for women's organisations to act.

The fourth stage, positionings, is concerned with what **subject positions** the various constructions of the discursive objects offer. These positions do not prescribe a particular 'role' for actors to play, but instead situate actors within a distinct location from which they can act, signifying where they sit 'within the structure of rights and duties for those who use that repertoire' (Willig, 2001: 110). If we think about this in terms of the subject positions available to women's organisations according to different constructions of the Consiglio, we could say that where the Consiglio is an instrument for its citizens, it has a duty to serve women's organisations. But where it is instead constructed as controller, there may be consequences for the rights women's organisations enjoy.

Practice, which is the fifth stage of the analytic process, entails 'a systematic exploration of the ways in which discursive constructions and the subject positions contained within them open up or close down opportunities for action' (Willig, 2001: 111). This step is where we can begin to draw conclusions about how the formal and informal institutional context of the assemblies has constrained or enabled the SRW in relation to policy on domestic abuse.

The sixth and final stage in the analysis represents an examination of the relationship between subjectivity and discourse. Willig explains that discourses construct 'social realities' through their ability to make available particular 'ways of seeing' or 'ways of being' in the world. Once subjects take up a position made available to them within the network of meanings generated by particular discourses, it will have implications for their subjective experience (Harré, 1997; Willig, 2001).

I have conducted this six step analysis first and foremost to analysis discourse on the policy problem of domestic abuse, to explore similarities and differences in how it has been constructed across both assemblies by insider and outsider actors, how discourses are imbricated in their formal and institutional context, and what the implications are for the participation of women's organisations in the policy process and their influence over outputs. This analysis was conducted on 70 pieces of documentation in total, from both sites, which fall into 11 categories comprising:

- plenary sitting transcripts
- motions for debate
- committee meeting transcripts and minutes
- committee reports
- consultation organisation documents and reports
- consultation responses submitted by women's organisations and other organisations
- ministerial statements and reports
- working group minutes
- proposed and adopted legislation on domestic abuse (including legislation on violence against women)
- government strategic action plans and guidelines on domestic abuse (including plans or guidelines on violence against women)
- women's organisation and other external actors' documentation including statutes and action plans

I located the relevant documents through a search of the NAW's online database, using the search terms 'domestic+abuse', and 'violence+women'. Where the documents found referred to others that I had not captured in my initial sweep I sought to locate these also. In Tuscany, the process was less systematic. There is an open

access online archive of plenary meeting transcripts, ministerial statements and legislation or action plans, but only a paper archive for committee meeting transcripts, working group meetings, consultation documentation and preparatory documentation for legislation or action plans. I was therefore reliant upon the staff working in the archive to provide me with relevant material, though I adopted the same approach as with NAW documentation and sought to obtain relevant material referenced in that which I'd already been given.

Each of the documents was printed or copied, catalogued according to the site, date, author and rubric above, before being read and annotated according to the six step method. It was not always relevant to analyse the entire document – for example plenary meeting and committee meeting transcripts often dealt with multiple issues beyond my area of interest and as such I only analysed those parts of the text which explicitly referred to the policy development process for domestic abuse.

I also used the method to analyse the statutes and standing orders of both the Consiglio and the NAW in order to provide data on the nature of their statutory commitments to inclusion and equality and the formal rules structuring their responsibilities in this regard. The statutes and standing orders for both assemblies together comprise a further four documents, and bring the total number of documents analysed for the thesis up to 74. In terms of time period, the documentation for the NAW covers the period 2002-2011 inclusive, and for the Consiglio 1995-2010 inclusive.

Using documentary analysis in addition to interviewing has the advantages of providing a large amount of data covering a long time period. In addition, the original documents were not produced with my particular research questions in mind, but rather record elements of the policymaking process as they happened: it provided access to subjects whom I was not able to track down any other way. This sort of data, then, complements my interview data, the collection of which was necessarily a more collaborative process, in which my involvement likely has an effect on the participants. As with any documentary research it is of course possible that the documents I accessed do not capture completely everything about the domestic abuse

policymaking process across both sites. However, I have tried to compensate for this using the interview data to provide further insights into the process.

Though I have conducted a detailed analysis of a large volume of data across both sites, the methods I employed – and the access arrangements in Tuscany in particular – necessarily limit the conclusions I have been able to draw. However, in order to enhance the reliability of my analysis, I also conducted semi-structured interviews with key insider and outsider actors who had been engaged in the policy development process.

3.4.3.2. Interviews with key actors

The rationale for conducting interviews was to provide further insight into policy development – which actors were involved, how and why; and to explore what actors' responses tell us about their perspectives and 'the discursive strategies they employ' (Hammersly and Atkinson, 2007: 97). The analysis of data collected through the interviews was triangulated with the documentary data analysis in order to assess self-reported claims of actors in the interviews themselves, but also check my own interpretations of the documentary data. I also wanted to analyse actors' own perceptions of the policy development process, and the nature of relationships between 'insider' AMs and 'outsider' women's organisations, and interview data provided rich material with which to work. The objective was to build an in-depth body of data on the (formal and informal) institutional context in which actors and situated, and also the nature of the relationships between actors in order to draw conclusions on their interaction and the effects on the SRW.

My primary method of identifying key actors was through documentary analysis of:

- plenary sitting transcripts and committee meeting transcripts to track which actors made interventions or tabled questions related to domestic abuse and violence against women;
- analysis of all-party group lists to identify groups (and their members) focused on domestic abuse, violence against women or related issues;
- analysis of consultation documentation, transcripts and reports to compile a list of participants;

- analysis of records of any ad-hoc civil society dialogue and engagement in the field of domestic violence, including personal correspondence with AMs or women's organisations where these were available;
- analysis of the minutes of meetings of the CRPO, CoPAS and the TSPC.

I used this analysis to identify and map those 'insider' actors, that is to say AMs, and 'outsider' actors, that is to say feminist women's organisations who fitting the definition of SRW provided in chapter 1 made claims for women during the domestic abuse and violence against women policymaking process. This mapping exercise provided me with a list of my ideal interview participants.

I used a semi-structured questionnaire to guide the interview process – please see Appendix A for details. Within the semi-structured format an interview guide is used to set a framework for the main points to be covered during the interview, but the shape, form and order of questions is flexible, generating space for participants to 'take over' the interview, whilst also establishing certain parameters necessary in elite interviewing where there is often a distinct power asymmetry (Kvale, 2007). Interviews of any kind give the opportunity to explore and understand the language used by participants, but the advantage of using a semi-structured format over a more structured format, with closed questions in a specific order, is that it gives the participant greater freedom to talk freely and make links between topics of his/her own accord, which is significant in gaining insight and understanding on his/her perspectives. Of course, my presence as a researcher guiding the interview and attempting to prompt participants to discuss particular issues makes the data produced more collaborative than entirely participant-led, but this does not have to detract from its validity 'in revealing knowledge beyond itself of the social world' (Newton, 2010: 1).

In Tuscany this comprised 10 'insiders', 9 AMs and 1 member of the CRPO. All of these actors had been extensively engaged in the development of regional legislation on gender violence. In the Welsh case, I established a list of 8 AMs who had been very active in the development of policy on domestic abuse. I contacted these 18 actors to request an interview. I also planned to use the snow-balling method to gather names of further participants for interview if successful in securing meetings.

Once I had been able to access some of the consultation and dialogue data for both sites relating to contact with women's organisations during the development of policy on domestic abuse, I was also able to conduct a similar mapping exercise as regards which women's organisations to select for interview. I supplemented this exercise with analysis of these organisations' websites or other documentation – where possible – in order to assess their fit with my project's focus on feminist women's organisations (Regione Toscana, 2009).³¹

In Wales I identified 7 women's organisations that had been actively engaged with the NAW, and 5 with the Consiglio in Tuscany. I contacted each of these organisations to ask for an interview. However, for each legislature there was also documentation which listed all the organisations known to be active in the region in the area of domestic violence. Including those 7 and 5 listed above, I was able to identify 16 organisations in Wales and 15 in Tuscany. I also contacted these organisations to ask for an interview. Please see Appendix B for a list of interview participants, dates of interviews and copies of the consent forms used.

However, across both cases I found securing interviews with AMs difficult, and although in Tuscany my response rate from the women's organisations I contacted was good, in Wales it was less so. In Wales I interviewed three AMs and two seconded civil servants (recommended by an earlier interview participant). I also interviewed representatives from three women's organisations. In Tuscany I interviewed three AMs and representatives from four women's organisations. In total this made 14 interviews out of a possible 49 actors identified.

³¹ <http://www.artemisiacentroantiviolenza.it> [Accessed 26th June 2009]
<http://www.associazioneamicadonna.it> [Accessed 26th June 2009]
<http://www.casadelledonne-bs.it/> [Accessed 26th June 2009]
http://www.cadmi.org/rete_donne.htm [Accessed 26th June 2009]
<http://www.controlaviolenza.it> [Accessed 26th June 2009]
<http://www.domesticabusesafetyunit.net/> [Accessed 23rd September 2009]
<http://www.hafancymru.co.uk/content/public/Home/WelcometoHafanCymru.aspx> [Accessed 23rd September 2009]
<http://www.liberetutte.com> [Accessed 26th June 2009]
<http://www.newpathways.org.uk/> [Accessed 23rd September 2009]
<http://www.olympiadegouges.org> [Accessed 26th June 2009]
<http://www.welshwomensaid.org.uk/> [Accessed 23rd September 2009]

That I was only able to secure interviews with just under a third of the relevant actors identified has clear implications for my analysis and conclusions. No claims I can make on the basis of my empirical data will ever be closed off from debate, but if I had been able to interview a higher proportion of the relevant actors I would have had data on more perspectives on the process. Nonetheless, the long, semi-structured interviews did provide rich and detailed data on the perspectives and experiences of insider and outsider actors which I have used to inform my analysis. In each I covered not only the individual or organisation's role in the policy development process, their perception of how it had been run and views on the outputs, but also discussed in depth their views on the policy problem of domestic abuse, and their relationships with other actors. That I was not able to speak to all actors involved in the process is mitigated by the large volume of documentary data that I was able to analyse, which forms the core of my empirical chapters.

3.5. Conclusion

In this chapter I have explained the rationale behind my research design, including my case study selection, have evaluated these against possible alternatives, and have explored the implications for the conclusions I am able to draw from my analysis. I have also justified my choice of policy on domestic abuse as my policy case study. I have explained and justified the use of CDA as a methodological approach given its fit with the overarching aims of my project, and its potential to provide insights on the concepts I wish to explore through my research questions. I have evaluated the use of CDA against possible alternatives.

Finally, I have set out the methods I use to systematically collect, analyse and compare data from both case studies: documentary analysis according to Willig's six step framework (2001), and semi-structured interviewing. In the next part of my thesis, I move on to explore and analyse empirical data from both cases.

CHAPTER 4. OUT WITH THE OLD AND IN WITH THE NEW? RULES, NORMS, AND DISCURSIVE STRUCTURES MEDIATING THE SUBSTANTIVE REPRESENTATION OF WOMEN

4.1. Introduction

In this part of the thesis, I move on from the theoretical and methodological discussions of chapters 1 to 3, and present and discuss empirical data from my two case studies. In section 2.7. of chapter 2, I have discussed the formal rules and structures in place which prescribe particular roles and actions for policymakers and women's organisations in the policy development process. Specifically, chapter 2 outlined the statutory rules of the assemblies and examined new *formal* rules which specify who (which actors) can participate in public policy development and how their participation, formally speaking, is structured. I detailed how across both sites, new formal rules require or encourage the inclusion of civil society organisations, and place value on gender equality. These rules (in theory) make available particular roles and actions for both 'insiders' and 'outsiders' that can be read as enabling for the SRW.

In this chapter, I continue to discuss the rules shaping actors' behaviour but focus more on the effect of specific cultural structures and discourses on the construction of domestic abuse in the policy process, in order to identify whether and how these informal elements of the institutional context constrained or enabled the actions of those seeking to substantively represent women in my case studies. I am here focusing on the actions of 'insider' Assembly Members (AMs) and 'outsider' regional women's organisations in particular.

The data which this chapter's analysis is based on consists of 7 interviews with key actors, and 44 documents. The documents are varied, but the majority are institutional documents from the Consiglio and the NAW that were collected during fieldwork at both sites. These include: 13 plenary sitting transcripts, where general debate on domestic abuse took place; one motion calling for debate on violence against women and domestic abuse; 10 sets of committee meeting transcripts or minutes where domestic abuse policy was discussed in Consiglio and NAW scrutiny committees; three committee reports on domestic abuse; three ministerial statements or reports on the issue of domestic abuse; three pieces of proposed or adopted legislation on

domestic abuse and violence against women; two government strategic action plans and guidelines on domestic abuse and violence against women; and one Assembly statute. The remaining documentation comes from outsider actors and is comprised of: four consultation responses submitted by women's organisations and other organisations; and four women's organisation and other external actors' statutes and own action plans.

I consider the early stages of domestic abuse policy development – problem representation and agenda-setting – whilst in the following chapters will examine latter stages of policy formulation and adoption. Following Willig's six step model outlined in chapter 3 at section 3.5, in terms of exploring problem representation, my focus is explicitly on the way in which domestic abuse is constructed as an object (step 1), the differing discourses used (step 2), when and where they are deployed by actors or in texts (step 3), what subject positions they create (step 4), what opportunities for action they open up or close down (step 5), and what their real world effects might be (step 6) (Willig, 2001).

This chapter's purpose is, then, to map and explore overlaps and clashes between old and new, formal and informal rules and processes, and how they have enabled or constrained the SRW during the problem representation and agenda-setting stages of domestic abuse policy development in both my cases. There is a clear temporal element to my analysis: across both cases new formal institutional frameworks have been introduced into a matrix of pre-existing or 'old' institutional rules and norms, which tend to be tenacious and persistent (Lowndes and Wilson 2001). New formal rules prescribing particular roles to particular actors are 'nested' amongst existing informal norms and discursive structures which shape individual, organisational and institutional conceptions of the appropriate 'ways of doing things' in a given role (Mackay, 2010: 1). In addition, new informal norms and discursive structures may also develop over time.

Problem representation, which refers here to how particular discourse are used to construct issues, creating particular subject positions which open up or close down opportunities for action and have real-world effects, can be a top-down (policymaker led) or bottom-up (civil society led) process, or a mixture of both, though agenda-

setting tends only to occur from the top down in response. In domestic abuse policy development in Wales and Tuscany, both policymakers and civil society actors have worked separately and together in problem representation. Clearly, actors in both camps may use very different discursive frames to represent problems, therefore implying differing causations and advocating very different policy responses. As explained above, in my analysis of problem representation, I am using Willig's six step model of CDA to help me explore these links (Willig, 2001). Importantly, the way in which a problem or issue is represented by actors in turn affects the likelihood that it will be placed on the institutional agenda and responses proposed (Bacchi, 1999). Once the problem is recognised by policymakers as something they can and will act on, we can say it has been placed on the policy agenda. However, once policy decisions are taken they can 'close off the space for normative debate because of the impression that they are the best *solution* to a problem' (Bacchi, 1999: 20, emphasis in original). It is important to note, also, that not all policy problems are placed on the agenda by policymakers: a problem that has existed for a very long time in society may only come to be placed on the agenda if it is represented or framed in very specific way which resonates with those in positions of decision-making power. As discussed in the preceding chapter, exploring how and why particular issues come to be represented as policy problems and by whom, when and how they are placed on the institutional agenda can help us explore power relationships, determining 'where power lies in the political system' (Anderson, 2006: 82; Van Dijk, 1993). In other words, we are looking for: 'who become the problem representers, whose representations get taken up, and whose voices remain unheard' (Bacchi, 1999: 39) and explanations as to why.

In the sections that follow, I explore how during the early stages of domestic abuse policy development, particular discursive frames were adopted across both assemblies which both complement and clash with those frames adopted by women's organisations in the regions. Discursive frames help to set particular subject positions or expectations, that is to say, to set out what actors imagine as the 'correct' course of action in a given situation. I then go on to show how rules and informal norms which shape expectations of policymakers in particular roles effectively constrained the capacity of women's organisations and AMs alike to denounce domestic abuse as a phenomenon which disproportionately affects women as a consequence of their

unequal structural social position, and therefore these actors' capacity to suggest solutions aimed as redressing this balance, effectively constraining the SRW. I analyse whether and how informal norms, cultural structures and discursive frames specifying appropriate behaviour for actors in particular roles shaped:

- **who** (which actors) was engaged in these early policy development stages
- **what** their opportunities for action were
- when **they** were engaged
- and **where** (which sites or arenas).

The chapter finds that the 'insider' and 'outsider' actors seeking to act for women, in their interests, who are most likely to have an impact during early stages of policy development and succeed in seeing domestic abuse placed on the policy agenda are 'those whose demands can be relatively easily accommodated and who can learn to speak the same language as the power holders' (Mayo and Taylor, 2001: 42). During the early stages of domestic abuse policy development, then, the SRW was constrained to a large extent as only particular groups acting for particular women saw their interests and needs placed on the institutional agenda. Such a pattern reproduces and responds to the pre-existing (and often unequal) distribution of authority between actors within institutions and women's organisations, as opposed to transforming or revealing it.

In order to analyse differences in problem representation and agenda-setting in the chapter, I first turn to 'insider', top-down problem representation and agenda-setting processes in domestic abuse policy development in Wales and Tuscany, and then move on to explore bottom-up processes of problem representation amongst 'outsider' women's organisations across both cases. In the final section of the chapter, I examine whether, how, and which women's organisations were engaged in 'insider' processes of problem definition and explore why this was the case. The chapter covers the period 2001-2010 in Wales, and the period 2001-2008 in Tuscany.

4.2. Discourse on domestic abuse – a gendered issue?

4.2.1. Discourse on domestic abuse as a policy problem in the NAW

In Wales, there have been two cycles of domestic abuse policy development over the period 2001-2010, and one major scrutiny inquiry. The first policy strategy, 'Tackling Domestic Abuse: A Partnership Approach' was launched by the WAG in 2005, and the second 'The Right to be Safe' was again launched by the WAG in 2010. The scrutiny inquiry, 'Domestic Abuse in Wales' was conducted by the Communities and Culture Committee of National Assembly (NAW) during mid-2008 with the results published in a report in December of that year. This section of the chapter will examine problem representation by NAW and WAG actors during the early development stages of both strategies and the inquiry, to provide insight into the way in which the cultural and discursive structures and informal norms of the assembly affected the participation and influence of women's organisations.

4.2.1.1. The 2005 strategy

Documentary evidence indicates that one of the first times the issue of domestic abuse was publically raised in the NAW was by Jane Hutt AM (Welsh Labour), then Minister for Health and Social Services during a plenary sitting on 18th April 2002, when she made a ministerial statement on domestic violence. The trigger for Hutt speaking on the issue appears to have been discussion with Edwina Hart (Welsh Labour), then Minister for Finance and Local Government, who was questioned during a plenary session on 1st February 2001 with regards to protecting children who live in homes where they are exposed to domestic abuse. Hart committed to raising the issue with Hutt, the Minister with responsibilities in this area. In terms of the discourses used to represent the problem, domestic abuse was initially framed as a health and social welfare issue, predominantly implicating families and children, but Hutt upon taking it up also explicitly represented the problem as a women's issue. Hutt was an AM who had a career history of engagement with the Welsh women's movement – having worked for Welsh Women's Aid for many years and having opened the first women's refuge in Wales.

In her April 2002 statement, Hutt detailed how the WAG was at that time in the process of establishing a working group on violence against women and domestic violence,

comprised of 'nominated' members.³² Throughout the plenary session, Hutt represented domestic violence predominantly as an issue for children and families within a wider health and social welfare discourse, placing particular emphasis on the WAG's responsibility for 'child protection issues', and highlighting the launch of a domestic violence resource manual for healthcare professionals that had been published by the Government.³³ The opening of her statement illustrates her use of the health and social welfare frame to define the problem:

Jane Hutt: As Minister for Health and Social Services, I have a responsibility to help prevent domestic violence in Wales and *to provide care for its victims*.³⁴

Hutt also acknowledged that domestic abuse is a problem which can be constructed as a criminal justice issue, when she briefly made mention of the role of the Assembly's crime reduction unit in prevention and care. However, she was careful to state that Wales does not have lead responsibility for criminal justice issues, effectively excluding domestic abuse from being represented as a criminal justice policy problem that could be tackled in Wales.

Later interventions in the plenary session by Hutt's colleagues Janet Ryder AM (Plaid Cymru) and Kirsty Williams AM (Welsh Liberal Democrats) also overwhelmingly represented domestic violence as a health and social welfare problem. The Minister was asked about housing issues related to domestic abuse, and the training that health and social care professionals like NHS staff and housing officers receive in relation to domestic abuse. Whereas other AMs used a criminal justice frame to represent domestic abuse as a policy problem. During the debate Lynne Neagle AM (Welsh Labour) referred to the need for police and magistrates to implement existing, related legislation more forcefully,³⁵ and Pauline Jarman AM (Plaid Cymru) stressed

³² Hutt established that the group would include members representing: the Communities Directorate; NHS Wales; the WAG's Crime Reduction Unit; the WAG's Education Department; the WAG's Housing Department; the WAG's Social Care Department; and voluntary organisations 'such as Welsh Women's Aid'. She did not, however, explain how representatives came to be nominated. The Record transcript, 18.04.2002: 45

³³ The Record transcript, 18.04.2002: 43

³⁴ The Record transcript, 18.04.2002: 43

³⁵ The Record transcript, 18.04.2002: 49

the need 'to treat domestic violence as a serious criminal act',³⁶ though Hutt consistently pointed to Wales' lack of capacity to address those concerns fully, explaining that 'the lead responsibility for the criminal aspects of domestic violence rests with the Home Office'.³⁷ These interventions blend representations which overwhelmingly situate individuals and families as implicated subjects, but also on occasion society as whole. However, the latter representation was infrequent, with clearest example of this representation being used when Christine Chapman AM (Labour) intervened, described the problem as 'a symptom of the continuing social inequality faced by women'.³⁸ This is one of only a handful of interventions which used a discourse of gender inequality to represent the problem as a societal one, and also one of the few to ally this to a gendered understanding of power relations inside and outside of the home. In terms of action orientation, the fact this particular representation of domestic abuse was deployed infrequently matters because it offers up different subject positions and opportunities for action than the representation which locates the problem within individuals and families.

In subsequent plenary sessions where domestic abuse was discussed in the lead up to the 2005 launch of the first WAG strategy, the representation of the problem which came to dominate was that which stressed how families and children are implicated.³⁹ This representation was largely situated within a wider health and social welfare discursive frame. In January 2004, Christine Chapman led a short debate in plenary on domestic violence throughout which she focused on the family, referring to the problem as something that 'affects the whole family'.⁴⁰ She paid particular attention to the affects of domestic abuse on children, including disruption to their education. Her focus was on the affect of domestic abuse on the victims and the children of victims, the support services they need, including refuge, and what actions might be taken for prevention in terms of awareness-raising and education to change attitudes:

Christine Chapman: We must explore the most effective ways of teaching young people about domestic violence. Teaching and

³⁶ The Record transcript, 18.04.2002: 53

³⁷ The Record transcript, 18.04.2002: 43

³⁸ The Record transcript, 18.04.2002: 47

³⁹ The Record transcripts, 21.01.2004, 23.03.2004; 20.10.2004; and 24.11.2004

⁴⁰ The Record transcript, 21.01.2004: 76

raising awareness should begin from a basis of promoting acceptable behaviour and healthy relationships. It should be mainstreamed into the school and youth work curriculum.⁴¹

There was no mention of the criminal justice system in her statement – various components such as police and magistrates etc. were not addressed. Aside from one intervention which addressed Crown Prosecution Service (hereafter CPS) actions in Wales to combat domestic abuse, colleagues who later responded to Chapman's debate-opening statement continued to adopt a health and social welfare frame to represent the problem. Edwina Hart in her capacity as Minister for Social Justice and Regeneration responded to Chapman's comments by reinforcing the dominant frame, with her colleague Lorraine Barrett AM (Welsh Labour) supporting.⁴²

When you see the statistics, you realise that you must deal with the issue at the very beginning, by educating children and counselling families and, if partners want to change, we must examine the type of help and assistance that is available to them [...] The strategy is now developing apace in many key areas, and has considered children's issues, but it has also looked, importantly, at the health issues – including the role of midwives.⁴³

Later in 2004, when domestic abuse was again discussed in plenary session, a predominantly social welfare frame was used to represent the problem, with discussions on its effects on employment and 'impact on the workforce' taking place, in addition to its effects on children.⁴⁴

In the first instance, then, the issue of domestic abuse was raised and represented as a policy problem which particularly implicates children and families. This representation was deployed by most actors over and above a representation of the problem which explicitly and predominantly implicated women. It was Jane Hutt, then Minister for Health and Social Services who initially sought to place the problem on the

⁴¹ The Record transcript, 21.01.2004: 76

⁴² The Record transcript, 21.01.2004: 83

⁴³ The Record transcript, 21.01.2004: 77

⁴⁴ The Record transcript, 24.11.2004: 5-7

agenda, and she frequently adopted a health and social welfare discourse in her interventions. This process began late on in the NAW's first legislature, which sat from May 1999 to April 2003.

When the second Assembly reconvened in May of 2003, domestic abuse continued to be represented as a problem for children and families in particular, within a wider health and social welfare discourse. There was a stronger emphasis on welfare as it passed from Jane Hutt's portfolio to Edwina Hart's – who became Minister for Social Justice and Regeneration. It was Hart who was tasked with leading the development of the WAG's first domestic abuse strategy, and as such it was the NAW's Social Justice and Regeneration Committee that was given responsibility for scrutinising the Minister's actions, reinforcing and retaining the dominance of the social welfare discursive frame in particular.

An examination of the ways in which domestic abuse was discussed in the Social Justice and Regeneration Committee serves to illustrate this process of reinforcement and retention. The role of the Committee was not to lead on the development of the domestic abuse strategy, but to scrutinise the WAG's progress. In February 2004, Edwina Hart publically announced in a Ministerial statement that the WAG, in conjunction with the working group on violence against women and domestic violence (see page 92), was in the process of drafting an all-Wales strategy on domestic abuse.⁴⁵ In her statement, she again adopted a social welfare discourse to represent the problem and reinforced how children and families are implicated in her representation of domestic abuse – describing how abuse 'has wide ranging effects— not only on the immediate and wider family, friends and colleagues of the victim, but also on society as a whole', and highlighting its effects on children.⁴⁶ After this announcement, the Social Justice and Regeneration Committee began to question Hart at meetings that she attended. On 9th June 2004 Hart provided the Committee with a copy of the first draft of the strategy for comment.⁴⁷ Their responses, again, represented the issue as a social one with a particular focus on children and families

⁴⁵ The first time that the development of the strategy was mentioned publically was by the then First Minister Rhodri Morgan (Labour) in a plenary session in late 2003. The Record transcript, 03.12.2003: 53

⁴⁶ Edwina Hart, Cabinet Statement, 04.02.2004

⁴⁷ Minutes Social Justice and Regeneration Committee meeting, 09.06.2004

as subjects affected by domestic abuse; questions were asked regarding services available to children and young people, counselling for women victims of domestic abuse, and housing issues faced by women wishing to leave abusers.⁴⁸

The next time Hart attended a meeting at which the domestic abuse strategy was tabled for discussion was in December 2004, when she presented the Committee with a summary of the consultation responses the WAG had received during a 12 week public consultation period.⁴⁹ As before, the Committee focused particularly on services for children and young people, adopting a social welfare discourse in their responses to the strategy. Most interestingly, there was some discussion over the definition of domestic abuse that the WAG should adopt in the strategy. Hart explained to the Committee members that there were two options to choose from – one shorter and one longer. The shorter option that was proposed is the definition used by UK statutory bodies and independent bodies in the criminal justice field; the CPS and the Association of Chief Police Officers (ACPO). It reads as follows:

any incident of threatening behaviour, violence or abuse
(psychological, physical, sexual, financial or emotional) between
adults, aged 18 and over, who are or have been intimate partners
or family members, regardless of gender and sexuality.⁵⁰

The longer definition, proposed by the WAG adds to ACPO's in several ways, most obviously through its explicit inclusion of children and their experiences of domestic abuse (*italicised below*), in keeping with earlier problem representation:

Domestic Abuse is best described as the use of physical and/or
emotional abuse or violence, including undermining of self
confidence, sexual violence or the threat of violence, by a person
who is or has been in a close relationship. Domestic abuse can go
beyond actual physical violence. It can also involve emotional abuse,
the destruction of a spouse's or partner's property, their isolation from

⁴⁸ Item six, minutes Social Justice and Regeneration Committee meeting, 09.06.2004

⁴⁹ Minutes Social Justice and Regeneration Committee meeting, 09.06.2004

⁵⁰ National Policing Improvement Agency guidance on investigating domestic abuse, 2008

friends, family or other potential sources of support, threats to others including children, control over access to money, personal items, food, transportation and the telephone, and stalking. *It can also include violence perpetrated by a son, daughter or any other person who has a close or blood relationship with the victim/survivor. It can also include violence inflicted on, or witnessed by, children. The wide adverse effects of living with domestic abuse for children must be recognised as a child protection issue.* The effects can be linked to poor educational achievement, social exclusion and to juvenile crime, substance abuse, mental health problems and homelessness from running away. Domestic abuse is not a 'one-off' occurrence; it is frequent and persistent.⁵¹

In terms of which definition the Committee supported, the minutes of the meeting report that:

members were in agreement that the shorter version was not acceptable and that the definition must include reference to children and young people. They also agreed that it must be flexible and encompass all areas where abuse can occur.⁵²

Though the second definition is longer than the first, it is certainly not as broad-ranging; where the first definition provides a much looser representation of the problem, leaving the causes and consequences of domestic abuse more open, and therefore the available subject positions, opportunities for action and subjectivities, the second identifies highly specific facets of the problem particularly in relation to its effects on children of family members or of the victim. This effectively provides the WAG with concrete issues towards which they can direct actions in the name of combating domestic abuse, but in so doing sets limits as to the subject positions available to those affected by the problem, and as regards what opportunities for action they have, and what actions the NAW itself might consider appropriate (Bacchi, 1999).

⁵¹ 'Tackling Domestic Abuse: The All Wales Strategy A Joint-Agency Approach', 2005: 5

⁵² Item 4, Minutes Social Justice and Regeneration Committee Meeting, 08.12.2004

The data above serve to illustrate how, with regard to the development of the first strategy, the NAW and WAG adopted a predominantly social welfare discourse through which the problem of domestic abuse was represented as particularly implicating families and children. But what of the gendering of representations of the problem, and the potential real world effects on actors? The way in which domestic abuse was at times represented as a *gendered* policy problem, affecting women predominantly, but also children, and at times represented as a gender neutral problem, where there is no distinction between genders in terms of the subject of the victim, has a significant bearing on how opportunities for action by particular subjects are opened up or closed off. In terms of the SRW, constructing domestic abuse as a gender neutral policy problem limits the extent to which the NAW can propose policy solutions which target gender inequality in wider society. Later in this chapter I go on to explore how formal and informal rules and institutional cultures and norms affected the way in which actors did or did not gender their representations of domestic abuse, and the constraining or enabling effects on the SRW.

Early representations of domestic abuse – during the period where AMs were attempting to place the issue on the institutional agenda – both implicitly and explicitly framed abuse as a women’s problem. In Hutt’s first public statement on the WAG’s actions to combat domestic abuse during a plenary session in early 2002, she initially used implicitly gender neutral terms, describing how ‘domestic violence is a serious problem that affects *people from all walks of life and within all kinds of relationships*’ (emphasis added).⁵³ However, throughout the rest of her statement, she explicitly constructed the problem as a women’s issue, using statistics which referred only to women, and discussing only women’s needs: in terms of subject positions women were explicitly constructed as victims of abuse, with men implicitly, therefore, constructed as perpetrators.

She was, however, challenged by several of her colleagues who represented domestic abuse as a problem for men, too. When this happened, Hutt consistently shifted the gendering back to her original frame by bringing women back into the picture explicitly, or neutralised the issue more implicitly by suggesting that domestic abuse is a problem

⁵³ The Record transcript, 18.04.2002: 43

for *all* people. Deliberate shifts in the gendering of representations of abuse – either by Hutt or her challengers – occurred several times over the course of this first debate. When John Griffiths AM (Labour) raised the issue of violence against men, Hutt switched from a gender neutral to a gendered construction almost immediately as shown in the italicised sections below:

John Griffiths: I hesitate to raise this next point [...] I do not know your feelings on this, Jane – but *I know of some nasty cases of domestic violence towards men*. I would not want to detract from the overwhelming problem, which is violence against women, but *we should not ignore the fact that there are some nasty cases of domestic violence against men and our responses must deal with that problem also*.

Jane Hutt: As I said in my opening remarks, there is *violence in all kinds of relationships* and we must recognise that. Though *the vast majority comprises violence against women*, violence against men is also an issue.⁵⁴

This same pattern occurred following interventions by Rod Richards AM (Welsh Conservatives) to highlight the issue of men suffering from domestic abuse.⁵⁵ Fluidity in the gendering of the issue was apparent throughout the debate, although, overwhelmingly, it was gendered as a problem for women above a problem for both genders, or explicitly a problem for men. Much of this gendering was implicit; it occurred in the use of statistics which referred only to women, for example, or in the mention of ‘mothers’ being separated from children when discussing family issues.

These exchanges and discussions of the problem of domestic abuse reflect the fluidity of the gendering of the issue throughout the early stages of policy development for the first strategy: overwhelmingly it was constructed as a problem for women in particular – implicitly and explicitly – above being a non gender specific problem, or a problem for men. It was least frequently represented as a problem implicating men as victims,

⁵⁴ The Record transcript, 18.04.2002: 52.

⁵⁵ The Record transcript, 18.04.2002: 56

though any representations framed in this way were always explicit. When AMs did refer to domestic abuse as a men's issue, the general response tended to echo that of Jane Hutt – a shift and a re-gendering to neutral or explicit women's issue. This pattern occurred throughout the two year period between 2002-2004, when the problem was first raised in plenary to when it was firmly placed on the Assembly's policy agenda with the announcement of the development of the WAG strategy.⁵⁶

However, during the early part of 2004 and onwards, evidence from several plenary debates shows increasingly frequent challenges to the emergent gendered representation of domestic abuse. During a plenary session in March 2004, when Edwina Hart made a statement to update AMs on the WAG's progress on actions to combat domestic abuse, Catherine Thomas AM (Welsh Labour) challenged her over the gendering of the approach.

Catherine Thomas: We must remember that one in six men are victims of domestic abuse. Do you acknowledge that, Minister, and do you agree that, if we are to truly tackle and combat such abuse we must recognise that all in society can be victims?

Edwina Hart: Yes we must acknowledge that *anyone* can be a victim of domestic violence. *I am particularly concerned about women and children.*⁵⁷

However, the italicised section above shows how Hart, just like Hutt, employed a strategy of implicitly gendering the issue as neutral, and then explicitly affirming its relevance to women and in this case children. She repeated this technique in two further plenary debates later in 2004.⁵⁸

In fact, every time that the issue of domestic abuse was raised in plenary by the Minister from early 2004 onwards, there were significant and sustained challenges to

⁵⁶ The Record transcripts, 18.04.2002; 21.01.2004; and 23.03.2004

⁵⁷ The Record transcript, 23.03.2004: 64

⁵⁸ See Hart's responses to interventions by Catherine Thomas AM (Welsh Labour), The Record transcript, 20.10.2004: 15; and Carl Sargeant AM (Welsh Labour) The Record transcript, 24.11.2004: 6-7.

the representation of the problem as gendered, with at least one AM asking about men as victims of domestic abuse as opposed to perpetrators.⁵⁹ This is also true of discussions held during the NAW's Social Justice and Regeneration Committee Meetings.⁶⁰ During their June 2004 meeting when Committee Members were asked to review the first draft of the proposed WAG strategy – which at the time did not include concrete proposals for dealing with domestic abuse against men – it is noted in the minutes that they responded by requesting that 'the Minister ... include abuse against men in a later stage of strategy and possible research'.⁶¹ Subsequently when the WAG's first strategy was eventually published in 2005, the representation of domestic abuse adopted was a gender neutral one. Why and how formal rules, informal institutional norms, values and discursive shaped this process are explored later in the chapter, but first, I examine problem representation during the development of the WAG's 2010 policy strategy, including evidence from the NAW's scrutiny inquiry.

4.2.1.2. The 2010 strategy

In the lead up to the 2005 strategy, across both the NAW and WAG, domestic abuse was for the most part constructed as a social welfare issue, predominantly implicating families and children, with some marked diversity in terms of how the issue was gendered. Ultimately, though, a gender neutral representation came to dominate. After 2005, domestic abuse continued to be discussed in the NAW in both committee meetings and plenary sessions, but between 2005-2007 discussion was less frequent than in previous years, with four plenary debates covering the issue as against eight in the period 2002-2008, and the interventions that were made tended to be in relation to the implementation of the WAG's strategy.⁶² In terms of what discourses were used, and how and when they were deployed, AMs continued, overwhelmingly, to construct domestic abuse as a social welfare issue, particularly implicating families and children, and not distinguishing between its effects on different genders. However, after 2007 discussions tended increasingly to challenge this construction.

⁵⁹ The Record transcript, 20.10.2004; The Record transcript, 24.11.2004

⁶⁰ Minutes, Social Justice and Regeneration Committee meeting, 09.06.2004; and 08.12.2004

⁶¹ Item 6, Minutes Social Justice and Regeneration Committee meeting, 09.06.2004

⁶² The Record transcripts 07.12.2005; 08.02.2006; 04.02.2007; and 12.12.2007.

In plenary meetings between 2005-2007, AMs most frequently adopted the social welfare discourse, with families and children as the implicated subjects. Issues around housing were raised by Michael German AM (Welsh Liberal Democrats) in late 2005:

From June 2005, in Wales, 2,319 households were accepted as homeless. One in five of these were due to violence against members of the household, most arising from the violent breakdown of a relationship with a former partner.⁶³

He followed up this debate in early 2006 with another question to Edwina Hart, then Minister for Social Justice and Regeneration, in which he addressed the role of education in combating domestic abuse:

In my short debate before Christmas, I raised the issue of preventative care as a step towards a long-term solution to domestic abuse. That particularly relates to education. Have you held any meetings with Jane Davidson, particularly in respect of the personal and social education areas of the curriculum, to see whether these matters can be brought into the curriculum as part of the education process, which is so necessary to eradicate this problem?⁶⁴

Domestic abuse was also discussed during NAW committee meetings during meetings of the Social Justice and Regeneration Committee over the period March 2005 – April 2007.⁶⁵ Following the May 2007 Assembly elections, the Social Justice and Regeneration Committee was dissolved and the Communities and Culture Committee formed as a successor. Before then, however, when domestic abuse was discussed in the Social Justice and Regeneration Committee, the dominant, gender neutral, social

⁶³ The Record transcript, 07.12.2005. For further examples see Michael German AM's later comments during the plenary session held on 8th February 2006. The Record transcript, 08.02.2006: 18-19

⁶⁴ The Record, transcript 08.02.2006, 18-19

⁶⁵ Minutes, Social Justice and Regeneration Committee 23.11.2006; and 22.03.2007

welfare representation was adopted. When Hart attending the meeting held on 15th March 2006, Housing issues related to domestic abuse were again discussed.⁶⁶

In early 2007, when the Minister was called to update the Social Justice and Regeneration Committee on the implementation of the WAG's domestic abuse strategy, members continued to frame domestic abuse as a social welfare problem with a particular focus on children and young people.⁶⁷ They expressed concerns over awareness-raising in schools and services for children and young people. These issues were raised with Hart by Jocelyn Davis AM (Plaid Cymru):

I am interested in your point about education, because there probably is a lack of direct services to children. Teenagers sometimes display very aggressive behaviour owing to the fact that they have experienced or have seen domestic violence. Your point about education is welcome, but it will of course take a long time to make a big difference. I look forward to that. There is also the matter of the needs of children in refuges. Could you look at that? I know that you cannot do everything overnight, Minister, but we would all like to see direct services provided to children who are affected by domestic abuse.⁶⁸

However, when domestic abuse was discussed for the first time in the Equality of Opportunity Committee (EOC) in 2007, the previous dominant representation was challenged and broadened.⁶⁹ As the Committee was planning its forward work programme, certain members expressed a desire to address issues beyond domestic abuse as it was represented in the 2005 strategy; Joyce Watson AM (Labour) explained:

I know that the Assembly has done a lot of work on domestic

⁶⁶ Item 10, Minister's Report to Social Justice and Regeneration Committee Meeting, 15.03.2006

⁶⁷ Social Justice and Regeneration Committee meeting transcript, point 90, 22.03.2007

⁶⁸ Social Justice and Regeneration Committee meeting transcript, point 94, 22.03.2007

⁶⁹ Equality of Opportunity Committee meeting transcript, 27.09.07

abuse, but I would like us to widen our thinking on that to ending all violence against women rather than just domestic abuse; we could include forced marriage, genital mutilation and 'honour' killings, as they are called. There is a group that could feed some evidence and background papers, and so on, to us. The big issue that no-one in the Assembly is looking at, as far as I am aware, is sex-trade trafficking. It is an issue that comes under the radar all of the time, and, again, we need to try to tease out that it is not just in the city, but is pretty widespread in rural areas.⁷⁰

Watson brought in issues of sex-trafficking and wider violence against women, which took the representation of domestic abuse away from the family and, to an extent, the social welfare frame; she instead opened up discussion on problems and their causes outside the home, in wider society, and did not focus so much on children.

The Communities and Culture Committee's Inquiry into Domestic Abuse in Wales which began shortly after this, in February 2008, broadened the social welfare frame through constructing domestic abuse as a criminal justice issue, but kept a focus on families and children as the italicised sections of the quote below illustrate. The Committee undertook the Inquiry in order to examine the implementation of the WAG's first strategy, about which there were some concerns, as Mark Isherwood AM (Welsh Conservatives), interviewed in his capacity as a former member of the Communities and Culture Committee, explained:

The committee regularly discusses a forward work programme to identify the areas that should be a priority for attention... any person can come up with any proposal. But, there was a strong wish from members of the Committee, across parties, to give particular attention to this area. So it was agreed. There was a feeling, I think, that each of us in our different constituencies and regions was receiving feedback from various groups, Women's

⁷⁰ Equality of Opportunity Committee meeting transcript, 27.09.07

Aid, and other organisations that they were concerned about lack of sustainable funding, providing services, and about pockets of perhaps, hidden domestic abuse, *the broader impact on the family and about gender and non-gender specific issues*. Because it isn't just looking at women, it was looking at men as well, and one of the members, actually a woman member, was championing at that time the issue of abuse against men. And it was therefore put on the list of inquiries to undertake as a priority.⁷¹

His then colleague on the Committee Dai Lloyd AM (Plaid Cymru), again interviewed to provide further detail on the process, expanded upon this to explain how women's organisations and some AMs – like Joyce Watson above, who was then Chair of the Communities and Culture Committee in addition to sitting on the EOC – were unhappy with the WAG's 2005 strategy.

I think there were a couple of factors at the time. Going back into a previous Assembly [the Second Assembly 2003-2007], there had been a previous review by an old social justice committee about the whole issue – well it wasn't the whole issue, just domestic violence, and also there was a Welsh Government strategy [the 2005 strategy] at the time, about domestic violence which was felt certainly in general terms to be too narrow in its scope, and obviously the whole of the sort of voluntary sector, as regards all the women's groups, you know, Women's Aid, all those sort of organisations were unhappy at the potentially narrow remit of the Government here.⁷²

In the Committee meeting convened to plan the inquiry in March 2008, members also began to represent domestic abuse as criminal justice policy problem.⁷³ The exchange below, between Peter Black AM (Welsh Liberal Democrats) and his colleague, Janice Gregory AM (Welsh Labour), shows how members recognised that criminal justice

⁷¹ Interview, Mark Isherwood AM, Cardiff 07.04.2011

⁷² Interview, Dai Lloyd AM, Cardiff 22.03.2011

⁷³ Communities and Culture Committee meeting transcript, 05.03.2008

issues were beyond the Assembly's remit, but that they wished to pursue them nonetheless.

Peter Black: This is also outside our brief, but I do not know whether there is a role to look at how the police respond to these issues.

Janice Gregory: Strangely enough, just before you came in, Chris was telling me that the police have been in touch and are very keen to engage with us. I suppose that the scrutiny of how the police respond and what action they take can be robustly scrutinised when they come in'⁷⁴

During the meeting members discussed the role of magistrates, the CPS, probation services and the National Criminal Justice Board, and it was agreed that all these organisations should be asked to submit evidence to the inquiry. Throughout meetings where the Committee took oral evidence, from April 2008 to June 2008, they continued to construct domestic abuse as a criminal justice problem, in addition to representing it as a social welfare issue.⁷⁵ However, in the final report published after the Inquiry in December 2008 the Committee largely steered away from framing the issue as a criminal justice one, and instead continued to adopt a social welfare discourse to represent the problem. Again, this aided the NAW in being able to propose policy responses or recommendations to combat domestic abuse, as it meant working in areas that were devolved.⁷⁶ Interview data from Dai Lloyd AM explained how framing the report in particular ways was extremely important in getting the WAG to approve its recommendations.

There's a way of trying not to upset Government as well, we're trying to get them to agree to this without 'dissing' what they've done previously. [...]There's a diplomatic use

⁷⁴ Communities and Culture Committee meeting transcript, 05.03.2008: 4-5

⁷⁵ Communities and Culture Committee meeting transcripts, 16.04.2008; 30.04.2004; and 05.06.2008.

⁷⁶ Communities and Culture Committee Report 'Domestic Abuse in Wales', 2008

of language.⁷⁷

The WAG, mean while, had also begun to broaden its framing of domestic abuse. After the 2007 elections, Brian Gibbons AM (Labour) was made Minister of Social Justice and Local Government, the successor department to Social Justice and Regeneration in the Second Assembly). In his first recorded public statement on the WAG's domestic abuse strategy in a plenary session held on 12th December 2007, the Minister cited statistics on the increased number of successful prosecutions for offences related to domestic abuse, and explained how the WAG's first strategy was being implemented through Wales' Community Safety Partnerships.⁷⁸ These Partnerships are made up of groups of local level organisations across Wales, with representatives from statutory agencies like the police, local authorities, the Fire and Rescue Service and the NHS, private organisations like local businesses and third sector voluntary organisations and community groups.⁷⁹ Their explicit function is to encourage safety within the community through reducing crime, and as such their activities tend largely to be framed within a criminal justice discourse. It is unsurprising, then, to see that in reviewing the 2005 domestic abuse strategy, the WAG's framing of the issue began to shift towards criminal justice. In a Ministerial statement released in response to the publishing of the Communities and Culture Committee's 2008 report, Brian Gibbons explained how the WAG had 'already begun work with the Home Office Crime Team in Wales to review our original strategy.'⁸⁰

Unlike shifts in the representation of domestic abuse as a particular type of policy problem that occurred over the period 2005-2009 across and between the WAG and NAW, there were no significant shifts in the gendering of domestic abuse over this same period, meaning that the subject positions and opportunities for action offered up by the dominant representation of domestic abuse remained largely unchanged. For the most part, the frame that the NAW and the WAG adopted overlapped with the gender neutral – that is to say not distinguishing between genders in terms of the subject of the victim of abuse – definition of domestic abuse already established.

⁷⁷ Interview, Dai Lloyd AM, Cardiff 22.03.2011

⁷⁸ The Record transcript, 12.12.2007

⁷⁹ See <http://wales.gov.uk/topics/housingandcommunity/safety/partnerships/?lang=en> for further details [Accessed 30th May 2011]

⁸⁰ Ministerial Statement, Minister for Social Justice and Local Government Brian Gibbons, 22.06.2009

In plenary sessions between 2005-2007, AMs again continued to raise the issue of abuse against men and assert that domestic abuse could affect either gender.⁸¹ Alun Cairns AM (Welsh Conservatives) did this in early 2008:

Do you recognise that, quite often, men also suffer domestic violence—some reports even say that up to one in six men suffer domestic violence from a female partner? Minister, many of the charities that support individuals who have suffered domestic violence, both male and female, receive funding from local authorities and, sadly, those are the sorts of charities that often get squeezed when budgets are tight.⁸²

However, unlike his predecessors Jane Hutt and Edwina Hart, Brian Gibbons, then Minister for Social Justice and Local Government, did not respond by re-gendering the issue and asserting that women are disproportionately affected, but acknowledged Alun Cairn's concerns without shifting the frame from the gender neutral. Indeed, the italicised text below illustrates how Gibbons actually explicitly rebuts the notion that women suffer domestic abuse more frequently than men. Gibbons' response when Bethan Jenkins AM (Plaid Cymru) asked a further question relating to domestic abuse in same-sex relationships is highly illustrative of this:

Bethan Jenkins: ...] I recognise that this is a significant amount of money, but has sufficient funding, or a strategy, been put in place as a result of the recognition in the report of violent behaviour within gay, lesbian, and transgender relationships?

Brian Gibbons: Alun Cairns raised an interesting point in relation to domestic violence against men. However, the assumption in his question was that this violence towards men

⁸¹ The Record transcripts, 06.02.2008: 34; and Nick Ramsay AM (Welsh Conservatives) interventions 12.12.2007.

⁸² The Record transcript, 06.02.2008: 34

was perpetrated by women. We know that, sadly, domestic violence takes place in same-sex relationships as well and we need to recognise that there is *no particular stereotype in terms of who is vulnerable or likely to be responsible for domestic violence*.⁸³

Domestic abuse was also represented as a problem implicating male victims during committee meetings throughout the 2005-2009 period, with Catherine Thomas AM (Welsh Labour) expressing concern during a Social Justice and Regeneration Committee meeting in late 2006 that:⁸⁴

so much educating remains to be done in relation to the victims of abuse, and there is still a perception that women are the only victims. However, while they make up the greatest number of those abused, men are also abused and children also suffer because of domestic abuse in the home.⁸⁵

Throughout the Communities and Culture Committee's Inquiry into Domestic Abuse in Wales, used to evaluate the functioning of the WAG's 2005 strategy, members largely framed domestic abuse as a non gender specific phenomenon which affects both genders, and in their concluding report did not recommend that this part of the strategy be reviewed. During the meeting when the Committee set up their work plan for the Inquiry, members were keen to take evidence from organisations providing services for male victims of abuse, as Janice Gregory explained:

The suggested witnesses are in annex 1. As you can imagine, there is a whole host of witnesses that we could call in or go to see and we have tried to cover as many as possible. We have tried to include things such as the Dyn Project because we know that men are also victims of abuse.⁸⁶

⁸³ The Record transcript, 06.02.2008: 34

⁸⁴ Social Justice and Regeneration Committee transcripts 23.11.2006; and 22.03.2007; Communities and Culture Committee transcripts 20.02.2008; and 05.03.2008.

⁸⁵ Social Justice and Regeneration Committee meeting transcript, point 81, 23.11.2006

⁸⁶ Transcript, Communities and Culture Committee meeting, 05.03.2008: 8

The WAG, too, continued to frame domestic abuse as a gender neutral issue in the lead up to the publication of the 2010 strategy. When WAG Ministers were called to give evidence during the Communities and Culture Committee's 2008 Inquiry, Deputy Housing Minister Jocelyn Davis AM (Plaid Cymru) highlighted that there was more work to be done with regard to supporting male victims.

I will just add something in answer to Peter's second question.

I think that where there are male victims, it is not nearly as well developed and I think that we definitely need to look at that.⁸⁷

The transcript of the meeting shows that, though on some occasions domestic abuse was framed as a problem particularly affecting women because of their gender, for example when making links with the wider issue of VAW and when discussing forced marriage or female genital mutilation, overwhelmingly a gender neutral frame was used throughout the meeting. Those suffering from domestic violence are rarely prescribed a gender, but instead referred to in the neutral as 'people' or 'victims'.⁸⁸ How these processes compare to problem representation and agenda-setting in Tuscany will be examined in the section below. I will first consider In the discourses used to describe and construct domestic abuse as a policy problem, and when and how they were deployed, before moving on to discuss the various subject positions and opportunities for action they offer up, and their potential real world consequences.

4.2.2. Discourse on domestic abuse as a policy problem in the Consiglio

One of the first times that domestic abuse was publicly raised in the post-2001 Consiglio was during discussions in mid-2002 on the proposed Integrated Regional Social Programme (IRSP) for the years 2002-2004, which was drafted by the Health and Social Policy Committee in the Consiglio.⁸⁹ Domestic abuse was explicitly framed as a gendered social welfare issue in the proposal, and commitments were made to combating violence against women and children in the home.⁹⁰ The joint reference to women and children with the specific reference to violence in the home is markedly

⁸⁷ Transcript, Communities and Culture Committee meeting, 16.04.2008: 5

⁸⁸ Transcript, Communities and Culture Committee meeting, 16.04.2008: 5

⁸⁹ Interview, Alessia Petraglia, Florence, 05.07.2010

⁹⁰ Regione Toscana (2002) Intergrated Regional Social Programme, 2002-2004

similar to the way in which actors in the NAW repeatedly represented the issue of domestic abuse one implicating families and children, at times overlapping with or conflicting with a gendered frame. The social welfare discourse used in the Consiglio was tied to the potential policy responses suggested, which all rely upon social action targeted at individuals as opposed to action in the criminal justice or healthcare spheres, as the italicised sections below illustrate:

In the area of tackling violence against women and children... the activation of... *information campaigns on resources for protection, help and support* available in the region to find a route out of violence; [and] supporting and incentivising support projects for women with a low level of professional qualification who find it very difficult to *gain access or re-entry to the labour market* are required.⁹¹

Unlike early debates in the NAW, here the mention of labour market re-entry though in terms of subject position still locates the problem of abuse with individual women, in terms of opportunities for action it does at least open up some space for transformative action on the part of individual actors.

Domestic abuse was placed on the policy agenda at a time of transformation in the Consiglio; it had gained significant new powers and responsibilities after the Italian Constitutional referendum of 2001, particularly in the areas of health and social policy, and was seeking establish itself in these areas. This was pointed to in the text of the Regional Social Programme document itself, which stated – ‘we are living and participating in a time of substantial change to our welfare system. The Constitutional reform of 18 October 2001... is a first step on a road which sees the Region heavily involved in the governing of social policy’.⁹² At this time of defining priorities, trickle down from the EU, with policy priorities on combating domestic established in 1999 during the European Year of Action to Combat Violence Against Women, coupled with the actions of critical actors working together in the Health and Social Policy Committee were cited by interview participants as providing the impetus for putting

⁹¹ Regione Toscana (2002) Art. 6.6. Intergrated Regional Social Programme, 2002-2004

⁹² Regione Toscana (2002) Art. 6.6. Intergrated Regional Social Programme 2002-2004

domestic abuse on the institutional agenda.⁹³ Alessia Petraglia AM (left-green Sinistra Ecologia Libertà) – who had a personal and professional history of working with women’s organisations prior to being elected in 2000 and was the eventual proponent of Ir n.59 2007 (Regional Law n.59 against gender violence) explained how she had consistently worked with particular colleagues on the Committee, one of whom was Anna Maria Celesti AM (right Forza Italia/ Popolo della Libertà). She explained how Celesti was always active on women’s issues given her profession – ‘since she’s a gynaecologist, she’s a woman who fights for women’,⁹⁴ and went on to discuss how the two of them worked together in Committee: ‘she and I were together on the Health Committee, and where it concerned women we always worked together’,⁹⁵ and in particular how they had worked together on the IRSP for 2002-2004 and a later Integrated Regional Health Programme (IRHP):

whilst we worked together on the law [Ir n.59 2007], we had also put together two extremely important programmes, the regional health programme, which is the programme for health care actions across all of Tuscany, and the regional social programme. And we – since everything came through the Committee where I was and where Anna Maria Celesti was, we worked together.⁹⁶

A gendered representation of domestic abuse situated within a wider social welfare discourse, with the family and children implicated as subjects, was initially employed by critical actors when placing domestic abuse on the policy agenda, and was in turn adopted by other Consiglio actors in the period that followed.⁹⁷ In November 2004 several AMs proposed a joint motion during a plenary sitting of the Consiglio in which they referred to domestic abuse and violence in the family.⁹⁸ The motion was proposed the day before the UN’s International Day for the Elimination of Violence Against

⁹³ Interview, Alessia Petraglia, Florence, 05.07.2010; Federico Gelli, Pisa, 14.07.2010

⁹⁴ Interview, Alessia Petraglia, Florence, 05.07.2010

⁹⁵ Interview, Alessia Petraglia, Florence, 05.07.2010

⁹⁶ Interview, Alessia Petraglia, Florence, 05.07.2010

⁹⁷ Plenary session transcripts 18.01.2006; 09.05.2006; 08.11.2006; and 04.02.2007

⁹⁸ Text, Motion n.801 ‘Tackling domestic abuse against women’, 24.11.2004 Similar to those in the UK context, motions can be used in the Consiglio to draw attention to events or campaigns, or by individuals to show their interest or support in a cause. In this way, the votes a motion receives for or against can be used to gauge the level of support for the given cause.

Women and meant to mark the occasion. The motion explained how violence occurs on 'private, social and symbolic levels', and its proponents called on the Giunta – the regional government – to take action to 'prevent, limit the damage, [and] overcome the conditions of suffering brought on by acts of violence'.⁹⁹ The series of recommended actions in the italicised text below show the predominance of the gendered social welfare discursive frame, with children and families implicated as subjects:

'[we] ask the Giunta to undertake... integrated, multi-sector interventions for *protection and care*; actions to tackle violence and abuse of children and women and the creation of local-level programmes... tasked with offering victims concrete, *material, psychological, legal and housing help* in emergency cases and *support with parenting*.'¹⁰⁰

The recommendations made in the motion were picked up on during the development of a law passed in early 2005, Ir n.41 2005 (Regional Law n.41 2007 on the protection of rights of social citizenship), which included an article on policy to tackle violence against women and children within the family.¹⁰¹ The discursive frame adopted in the legislation was again a social welfare one, with a focus on children and the family as subjects. The law was proposed and drafted within the same Consiglio Health and Social Policy Committee, with Petraglia and Celesti involved. As was recommended in the 2004 motion, the initiatives that the legislation commits to are 'material, psychological, legal and emergency housing support' and 'services to aid victims and support parenting responsibilities'.¹⁰² This mention of parenting responsibilities does not just implicate women, but women as mothers. Commitments are also made to providing 'more personalised' services, with the intention of reinforcing an individual woman's self-esteem and self-belief so that she can lead an 'autonomous life'¹⁰³, along with others to train education, social, healthcare, judicial and police professionals. Again, the representation of domestic abuse as a social welfare problem implicating

⁹⁹ Text, Motion n.801 'Tackling domestic abuse against women', 24.11.2004

¹⁰⁰ Text, Motion n.801 Tackling domestic abuse against women', 24.11.2004

¹⁰¹ Ir n.41 24.04.2005 Sistema integrato di interventi e servizi per la tutela dei diritti di cittadinanza sociale/ Regional Law n.41 2005 on the protection of rights of social citizenship

¹⁰² Ir n.41 24.02.2005 Art.59, 2B

¹⁰³ Ir n.41 24.02.2005 Art.59, 2C

families and children had a strong bearing on the types of policy responses proposed, which overwhelmingly lay within a social sphere as opposed to a criminal justice sphere. As in Wales, this kind of representation locates the problem of domestic abuse within individuals and family relationships; further, mothers are specifically constructed as subjects.

Further examination of four plenary debates in the lead up to the passing of the *Ir n.59* 2007 shows how the social welfare discourse and focus on families was reinforced and retained through AMs' interventions.¹⁰⁴ Almost all interventions made by AMs which address domestic abuse occur during debates on social welfare. On 21st January 2006, Giunta Minister for Social Policy and Sport Gianni Salvadori delivered a statement on welfare to the Consiglio in a plenary session. During the questions that followed, Rosanna Pugnali AM (centre left Partito Democratico) raised the issue of violence against women as an equality issue:

...I think that's a theme which should firmly be embedded in any integrated social programme, just as I think *the theme of equality of opportunity should be there*. I think that should be put in just as another theme ... which is *violence against women* should be put in. I think there also must be space for that.¹⁰⁵

Her intervention was followed by another from Alessia Petraglia, who represented domestic abuse within a social welfare discourse as a problem implicating families:

A social welfare system takes care of families, as someone has already said... We need to pay attention to the increasing level of separation, to the changing nuclear family, to family conflicts and domestic abuse.¹⁰⁶

¹⁰⁴ Plenary session transcripts 18.01.2006; 09.05.2006; 08.11.2006; and 04.02.2007

¹⁰⁵ Plenary session transcript, 18.01.2006

¹⁰⁶ Plenary session transcript, 18.01.2006

Later that year, after the presentation of the preliminary draft of the Giunta's Integrated Regional Social Programme for 2006-2010, Rosanna Pugnali AM again intervened to make a point on violence against women:

And there's the issue of women. I think that events that have happened in our country reported in the papers these past few days urgently re-open the question of violence against women, and so, I also think in this regard, more policies to tackle violence are something we need to look at urgently. I believe it's important to find a way to reconcile our way of making social policy trying to integrate further individual policies into the general regional programmes.¹⁰⁷

During a further plenary session in November 2006 – with interventions again tied to the UN's International Day for the Elimination of Violence Against Women – the social welfare representation of domestic abuse as a gendered problem implicating children and families was further reinforced.¹⁰⁸ A group of AMs from the coalition of left parties in the Consiglio tabled two motions relating to actions to prevent, tackle and confront violence against women and children. In discussion on the motions, Alessia Petraglia explained how 'there is a social dimension to violence against women, very much because it relates to deep-seated, cultural motivations, which are modelled on the relationship between genders and between people'.¹⁰⁹ She went on to explain how previous attempts to deal with violence against women as a criminal justice issue made at the national level had been of only limited use, and to outline the need for a more social, cultural approach:

In our national-level legislation the issue has been treated exclusively in terms of criminal justice... we lack a unified, organic legislative frame though over recent years a lot has been achieved at the local level. Important experience has been gained such as that of women's organisations working

¹⁰⁷ Plenary session transcript, 09.05.2006

¹⁰⁸ Plenary session transcript, 08.11.2006

¹⁰⁹ Plenary session transcript, 08.11.2006

in the field... In Tuscany there is a wide network which has developed, in cultural terms, an understanding of the causes and consequences of violence, developing the real-life capabilities of many women, women with children, thanks to the work and skills of the organisations' workers... a network which plays an important role in prevention and awareness-raising in wider society... The fact that more and more women today go to these organisations illustrates that they are a fundamental, unique instrument to access citizenship rights and also to put a stop to these situations of oppression.¹¹⁰

Petraglia here explicitly cites women's organisations in civil society as sites which enable citizenship rights.

At times, a broader civil and human rights representation of domestic abuse was used. This discourse tends to be used in tandem with and overlap the social welfare discourse, as opposed to competing with or undermining it, yet the subject positions, opportunities for action and subjectivities offered by both are different. Throughout the 2002-2007 period Consiglio AMs frequently referred to UN or EU statistics, targets and conventions on the rights of women. In the 2004 motion proposed in plenary session, for example, AMs cited then UN Secretary General Kofi Annan's well-recognised statement:

Violence against women is perhaps the most shameful violation of human rights. It knows no geographical, cultural or economic bounds. For as long as it continues, we cannot pretend to have made real progress towards equality, development and peace.¹¹¹

Documentary data shows that similarly, during discussion of the 2006 motions, Petraglia referred to the need for the Consiglio to 'take on the issue of violence against women, the seriousness of which was also noted in a very recent United Nations

¹¹⁰ Plenary session transcript, 08.11.2006

¹¹¹ Text, Motion n.801 'Tackling domestic abuse against women', 24.11.2004

report as a political priority for our country'.¹¹² Later, her colleague Daniela Belliti AM, again deployed a human and civil rights discourse to represent the problem of domestic abuse, stating:

I believe there are and there have to be common provisions for a dialogue... provisions which are the respect of human rights and the rights of the person, the principle of equality between the sexes in all areas of political, social and cultural life, that we should never miss an opportunity to reassert and reaffirm.¹¹³

The use of the UN definition is familiar, in that this same definition is used by certain women's organisations in Tuscany, like Artemisia. For both sets of actors the human rights discourse functions in much the same way – to legitimate claims.

As regards a more specific exploration of the gendering of diverse representations of abuse, and the subject positions and opportunities for action they open up, there were significant shifts over the period 2001-2007. As noted in the preceding section, the way in which domestic abuse is (or is not) constructed as a gendered policy problem has a significant bearing on the responses proposed by policymakers and their real world consequences. In the early stages of problem representation and agenda-setting in the Consiglio, domestic abuse was both implicitly and explicitly framed as a problem for women. The first IRSP proposed in 2002 respectively, the motions proposed by a group of left-wing AMs in early 2004 and late 2006 and the 2005 legislation on social citizenship, Ir n.41 2005 all gender violence and domestic abuse, situating women as victims.¹¹⁴ Similarly, the interventions of AMs made in plenary sessions related to the passage of the above also tend to gender domestic abuse as women's issue – though frequently they also implicate families and children as subjects.¹¹⁵ However, by 2007,

¹¹² Plenary session transcript, 08.11.2006

¹¹³ Plenary session transcript, 08.11.2006

¹¹⁴ Regione Toscana (2002) Integrated Regional Social Programme, 2002-2004; Text, Motion n.801 'Tackling domestic abuse against women', 24.11.2004; Plenary session transcript, 08.11.2006; Ir n.41 24.04.2005 Sistema integrato di interventi e servizi per la tutela dei diritti di cittadinanza sociale/ Regional Law n.41 2005 on the protection of rights of social citizenship

¹¹⁵ Plenary session transcripts 18.01.2006; 09.05.2006; 08.11.2006; and 04.02.2007

this gendered framing had shifted, with AMs beginning to construct violence and domestic abuse as non gender specific issues, implicating *all* people as victims.

In the 2002-2004 IRSP, a commitment is made to 'the development of actions to tackle violence against women and children in the home (domestic violence)'¹¹⁶, and further explicit references are made to 'integrated interventions directed at women and young children who are victims of violence'.¹¹⁷ This explicitly gendered framing was again used by the group of AMs proposing the 2004 motion – titled 'Tackling domestic abuse against women'¹¹⁸ – in plenary session. The statistics used to give context to the motion's requests and recommendations all refer only to women. In the motion, women are explicitly constructed as victims of domestic abuse:

domestic abuse is the main cause of death and injury for women between 16-44 years of age... a higher proportion than those caused by cancer or road traffic accidents.¹¹⁹

During discussions in plenary throughout 2006, abuse and violence are overwhelmingly gendered as women's problems – again the statistics used all refer to women, who are largely explicitly constructed as victims.¹²⁰ There was a tendency to refer to individual women in their family role as mothers, and as a consequence to situate children as victims, too. In the plenary debate of late 2006 on the motion proposed by the group of left-wing AMs, Marco Carraresi AM (right Popolo della libertà), member of the centre right party group was keen to overlap these two frames, as shown below:

the issue of violence against women, the violation of a woman's body, cannot be separated and disconnected from other kinds of violence that is just as monstrous, serious and unfortunately recurrent, and that is

¹¹⁶ Regione Toscana (2002) Art. 1.2.1 Integrated Regional Social Programme, 2002-2004

¹¹⁷ Regione Toscana (2002) Art. 5.3 Integrated Regional Social Programme, 2002-2004

¹¹⁸ Text, Motion n.801 'Tackling domestic abuse against women', 24.11.2004

¹¹⁹ Text, Motion n.801 'Tackling domestic abuse against women', 24.11.2004

¹²⁰ Plenary session transcripts 18.01.2006; 09.05.2006; and 08.11.2006

violence towards children.¹²¹

Carraresi's intervention was, however, an unusual one in one important sense: it was made by a man. For the most part, other AMs who repeatedly raised questions or made interventions in plenary debates over the period of problem definition and agenda-setting in the Consiglio were almost always women – female AMs like Belliti, Petraglia, Pugnolini and Angiolini being the most consistent. This is very different to Wales, where after the very early stages, interventions in the NAW on the issue of domestic abuse were frequently made by male AMs, as shown in the previous section. This tells us something very significant about the gender regime in the Consiglio, and the particular dominant masculinities and emphasised femininities operating and the normative role expectations attached to these categories (Connell, 1987). As discussed in chapter 1, understandings of the categories male and female and their associated appropriate behaviours are shaped by normative expectations and values of masculinity and femininity. In relation to the latter, the italicised section of quote below shows how motherhood appears as an essential component of this femininity. In the Consiglio, it would appear that it did not seem appropriate for male AMs to comment on domestic abuse, gendered as a women's or mother's issue. This is not to say that such expectations and roles did not cause frustrations among actors, as evidenced below. During the December 2006 debate in plenary, Fabiana Angiolini AM raised the following:

I really have to highlight that while we're talking about violence against women, the male assembly members are just going about their business... I would have been grateful for more attention when above all else we are talking about violence against women and children and also because, frankly, we are paid to be here to do our duty and so it would have been nice to see a bit more attention and frankly especially when we are talking about this issue if you would walk around the chamber less and if you'd listen more that would be even better. Please excuse my outburst, as an assembly member and as a

¹²¹ Plenary session transcript, 08.11.2006

woman; that said, I can only agree with the content of this motion.
We women have great value when you're talking about things that concern us, and our children, and we have the capacity to overcome numerous ideological difficulties and to find common ground.¹²²

During the problem definition and agenda setting stage, not only was the issue of domestic abuse gendered as a women's issue, then, it was also mostly frequently raised by women AMs themselves.

However, after late 2006, the gendering of domestic abuse and violence as women's issues shifted, and a gender neutral frame began to be used in policy documents – if not in plenary discussions. At the same time, the framing of violence and abuse as a children's issue was reinforced. In the Giunta's proposed Integrated Regional Health Programme (IRHP) for 2007-2010, women are no longer explicitly constructed as the victims of abuse, instead, the gender neutral term 'people' is used. In the section entitled 'The Fight against discrimination – equal opportunities', the IRHP commits to 'strengthening the capabilities of persons who are the victims of discrimination and violence'.¹²³ There is a whole section on abuse and violence against children which is non gender specific, and a section on the violence and abuse of 'persons' trafficked for prostitution which explicitly commits to 'preventing phenomena connected to violence, prostitution and the trafficking of human beings, independent of... the victim's gender'.¹²⁴ – this is not qualified by any statement recognising the complex gender dynamics of trafficking or prostitution, although commitments are made to supporting women's organisations working with women who have suffered abuse inside or outside of the home. After the draft of the IRHP 2007-2010 had been presented to the Consiglio in plenary, Petraglia responded positively to the measures contained therein, though she explicitly gendered the subject of the victim as female: '...through the creation of a network of organisations... that can guarantee protection and assistance for *women victims of violence*'.¹²⁵ This is similar to the above-discussed processes of problem representation in Wales – with the initial gendered framing of domestic abuse

¹²² Plenary session transcript, 08.11.2006

¹²³ Regione Toscana (2007), Art. 2.3.2.6, Integrated Regional Health Programme

¹²⁴ Regione Toscana (2007), Art. 6.8, Integrated Regional Health Programme

¹²⁵ Plenary session transcript, 04.02.2007

shifting to a gender neutral frame before policies relating directly to that area had been formulated.

How this gendering and wider framing compares with women's organisations' representations of domestic abuse will be explored in the following section. Across both cases there are similarities and differences in the ways that women's organisations represent domestic abuse as a policy problem. For the most part, women's organisations in Wales and Tuscany tend to gender domestic abuse as a women's issue in a way that 'insider' actors across both assemblies ceased to do after a short period. At the same time, most organisations have tended to frame the issues as one which overwhelmingly implicates families and children, a frame that assembly actors most often favoured. These different representations have varying effects in terms of the subject positions, opportunities for action and subjectivities they construct, and have real world or lived effects on those the policies are targeted at (Bacchi, 1999; Willig, 2001). We can distinguish between representations of domestic abuse as a gendered or gender neutral problem, where individual subjects in the home and the family, or in wider society are implicated.

The fact that most organisations across both regions tend to represent domestic abuse as family and children's issue first and foremost has significant consequences for actors. Representation of domestic abuse as a family and particularly a children's issue is likely to resonate strongly with policymakers in a wider EU context where the past 20 years or more have been marked by 'a surge of interest in the well being of families' in political debate (Hantrais, 2004: 1).¹²⁶ However, this representation has several other effects, not all of them necessarily so positive. In framing domestic abuse in such a way policymakers and women's organisations alike across both regions effectively limit the space in which abuse can be discussed as a result of wider societal gender inequality and male dominance. This has the effect of 'locating' the problem within individuals or individual families where relationships have deviated from the stable norm, which in turn closes off space for actions which seek to shift unequal power dynamics in wider society. Furthermore, when the family and children

¹²⁶ This is particularly apparent in Wales, where a designated Children's Commissioner has been in place since 2001 and a Children and Young People's Committee was established in the NAW in 2007.

representation is gender neutral, space to challenge *gendered* patterns of inequality is closed off. Generally speaking, when abuse is represented as a gender neutral phenomenon, individual actors who participate in these 'problematic' relationships are the ones who are implicated, and they are abstracted from their gender. From the perspective of the SRW women's inequality in the wider gender order therefore tends to go unchallenged.

4.2.3 Discourse on domestic abuse in Welsh women's organisations

In Wales, in terms of discourses and action orientations, the problem of domestic abuse has long been identified from the bottom-up by women's organisations in civil society as requiring governmental action in order to bring about a solution.¹²⁷

Historically, women's organisations have 'framed domestic violence... in terms of gender. Thus male violence was defined as a structural problem deriving from unequal gendered power relations and unequal access to resources' (Ball and Charles, 2006: 173). However, over the 1970s and 1980s the male-dominance/ female-inequality representation consistently failed to gain support in UK political institutions. Authors in the field of FPS and social policy alike have frequently observed that the challenge this representation poses to the hegemonic gender order is such that it does not resonate with policymakers in positions of power, who tend to respond to dominant cultural frames (Bacchi, 1999; Charles, 1995; Maguire, 1988). Accordingly, limited state policy responses to the issue at central government level in the UK made in the 1970s and 1980s focused initially on housing provision, but have more recently come to be framed within a criminal justice discourse which focuses on violence perpetrated by individuals, within families, 'rather than involving gendered power relations and being mainly violence committed by men against women' (Charles, 2010: 214). The focus on individual and family relationships is illustrated above.

Scholars have pointed to progressive adaptations women's organisations have made in the way they refer to domestic abuse, shifting the frames they adopt in order that they might resonate more strongly with dominant discourses. Groups increasingly discuss domestic abuse as civil or human rights issue, a criminal or an economic issue in order to achieve maximum resonance with policymakers. In addition, some have

¹²⁷ See section 3.3.2, chapter 3 for a discussion of women's organisations' actions to combat domestic abuse and to lobby government for action in both case study countries and regions.

sought to de-gender domestic abuse, focussing on families and children. Whilst this shift in representation has enabled women's organisations to be much more successful in their campaigning and lobbying to see domestic abuse placed on the policy agenda, it has the potential to marginalise 'more radical frames and ways of understanding social reality, and may even render gender invisible' (Ball and Charles, 2006: 174).

Thinking about this in terms of the SRW, historically, women's organisations have asked for recognition of domestic abuse as a gendered issue which has its roots in gendered power relations at the public, societal level – that is to say the gender order (Connell, 1987). Eliminating domestic abuse, according to this definition, would require wholesale redistribution of 'resources between men and women and a cultural revaluing of women in relation to men' (Charles, 2010: 212). Arguably, what we have seen instead as domestic abuse has made its way onto the policy agenda of political institutions across all levels is a kind of issue perversion, whereby recognition of the problem has occurred, but it has been reframed in such a way that the redistribution of material and cultural resources is not perceived as an appropriate policy response. Thus, the gender order is not threatened or challenged to the extent that women's organisations' demands have historically pre-supposed (Charles 2010; Hearn and McKie, 2008).

An examination of a range of larger and smaller women's organisations in Wales which deal with domestic abuse helps illustrate this pattern. Rather than explicitly framing domestic abuse as a problem of a power imbalance between men and women in society, organisations much more frequently represent domestic abuse as a family or individual issue. Intersecting with this family or individual framework several groups, apart from Welsh Women's Aid, work according to a gender neutral definition of domestic abuse, even if they do not provide mixed-sex or gender neutral services.¹²⁸

Of the organisations which still frame domestic abuse as a women's issue, perhaps the largest and most successful in lobbying and working with government (both

¹²⁸ There are also men's organisations in Wales which exclusively address the needs of men who have suffered domestic abuse. Similar to women's organisations, groups like the Cardiff-based Dyn Project also tend to use a family or individual frame and a gender neutral definition of abuse.

central, pre-Devolution, and Welsh, post-Devolution) has been Welsh Women's Aid. This is a national umbrella organisation representing local Women's Aid organisations – of which there are over 25 – situated across Wales.¹²⁹ The organisation certainly maintains at its core a gendered definition of domestic abuse, stating as they did during the NAW's 2008 Inquiry into Domestic Abuse in Wales that:

Women's Aid as a frontline service provider... is fully engaged in addressing the long term issues and conditions underpinning the continued existence of domestic violence within its gendered... context. We... recognise a gender-based definition of domestic violence/abuse.¹³⁰

During an oral evidence giving session on 30th April 2008, Morgan Facknell, Chief Executive of Welsh Women's Aid left AMs leading the Inquiry in no doubt as to the organisation's position regarding the gendered nature of domestic abuse, as shown in the italicised sections below:

Paul Davies AM: Do you believe the focus of the Assembly Government's current strategy [2005 Strategy], *which employs a non-gender specific definition of domestic abuse*, is the right one?

Morgan Facknell: As you will have gathered from my paper, *I do not think that it is*. It is a great strategy document, which *now needs to evolve and take a gendered approach*.¹³¹

Although they have not adopted a gender neutral definition of domestic abuse, Welsh Women's Aid have progressively shifted towards framing the issue in keeping with more dominant discourses, moving away from publicly discussing abuse as a symptom of women's wider oppression and inequality within society, and instead framing the issue as a family one, highlighting the rights of children to live in a safe home environment and using statistics which relate to the individual to provide an

¹²⁹ <http://www.welshwomensaid.org.uk> [Accessed 21st September 2009]

¹³⁰ Welsh Women's Aid, written evidence supplied to Communities and Culture Committee Inquiry, 30.04.2008

¹³¹ Transcript, Communities and Culture Committee Meeting, 30.04.2008: 13

easily identifiable evidence base upon which to support their claims.¹³² Furthermore, the organisation has undergone fundamental structural reorganisation from a collective, which it had been since it was established in 1978, to a hierarchical, tiered organisation which includes research and statistics and training and development staff, further reflecting their shift away from a radical way of working towards a more dominant, recognisable framework compatible with public or statutory institutions and organisations (Ball and Charles, 2006; Charles, 2010).¹³³ In addition to Welsh Women's Aid as an umbrella organisation, 10 local Women's Aid groups were involved in the Communities and Culture Committee's 2008 Inquiry into Domestic Abuse in Wales, and members of Swansea Women's Aid sit on the working group on domestic abuse and violence against women alongside representatives from Welsh Women's Aid.¹³⁴ The umbrella organisation receives core funding from the WAG.¹³⁵

Black Association of Women Step Out (BAWSO) is another well-known and comparatively well-resourced women's organisation that is now affiliated to Welsh Women's Aid. It was established in 1995 and since that time has used a gendered definition of domestic abuse. It provides specialist support services to black and minority ethnic (BME) women. BAWSO, too, operates through a more hierarchical structure, with a chief executive and various tiers of management.¹³⁶ In certain ways, however, their 'everyday' way of working does not correlate to these formal rules, and they tend to operate informally in a much more collective way. This is evidenced by the way in which the organisation responded to an invitation from the Communities and Culture Committee to give oral evidence at a meeting on 19 June 2008: they arrived with five representatives, seemingly to the slight surprise of Committee Chair Joyce Watson AM (Labour), as the italicised sections of her exchange with Mutale Nyoni, Chief Executive of BAWSO, below show:

¹³² Welsh Women's Aid, written evidence supplied to Communities and Culture Committee Inquiry, 30.04.2008; <http://www.welshwomensaid.org.uk> [Accessed 21st September 2009]

¹³³ As Charles points out, by the late 1990s, local government and housing association funding regimes to which Women's Aid were increasingly bound had become complex and required a degree of accountability and hierarchical organisation that a collective structure could not provide (2010).

¹³⁴ National Assembly for Wales, Communities and Culture Committee. 2009. Domestic Abuse in Wales

¹³⁵ Welsh Women's Aid, written evidence supplied to Communities and Culture Committee Inquiry, 30.04.2008; <http://www.welshwomensaid.org.uk> [Accessed 21st September 2009]

¹³⁶ <http://www.bawso.org.uk> [Accessed 23rd September 2009]

Joyce Watson: I now welcome *quite a group* to the table. We have *a group of visitors* from Black Association of Women Step Out.

Mutale Nyoni: *I have brought a team* from BAWSO with me this afternoon as *I did not want to be the only one to represent* BAWSO and Welsh Women's Aid.¹³⁷

The longest established and largest organisation dealing with domestic abuse in the region behind Welsh Women's Aid is Hafan Cymru – established in 1989 and known as Cymdeithas Tai Hafan before 2009. Up until 2008 Hafan provided women-only domestic abuse services.¹³⁸ However, that year its constitution was changed in order to allow the organisation to provide services for men, too. This, Hafan's Chief Executive, Cathy Davies, explained came about as a result of three main concerns – first, that workers perceived there was a need not being met, and that was to provide services to men, second, that young men particularly whose mothers had left the family home as a result of domestic abuse were in need of greater support, and third, that Hafan's funders were increasingly only willing to resource projects which included men. Regarding the latter point, Davies explains below:

The third, sort of, impetus, were the local authorities, who were increasingly wanting us to support men. And, we were concerned - I was particularly concerned, again, particularly given the reliance we've got on external SP funding [Supporting People funding, managed by local authorities]¹³⁹, that we couldn't afford not to win contracts, and to lose contracts, so it was a combination of that. But, at the same time that we did it, we rebranded so that we were *very, very* clear that we were rebranding as a domestic abuse organisation, so that the word was very clear out there that this is

¹³⁷ Transcript, Communities and Culture Committee Meeting, 19.06.2008: 17

¹³⁸ <http://hafancymru.co.uk> [Accessed 23rd September 2009]

¹³⁹ For further information on Supporting People funding please see <http://wales.gov.uk/topics/housingandcommunity/housing/supportingpeople/?lang=en> [Accessed 14th December 2009]

what we're there for. That we're *not* there to support men per se, we're there to support men who are escaping abuse or who are vulnerable to abuse, and so that's what we're doing. We're not supporting very many. Last year it was 35, that's of the 1022 people, I think, that we supported last year – 35 of them were men, so the numbers are not big.¹⁴⁰

She later explained, however, that providing services to men as well as women did not have to mean erasing gender from the picture; in terms of service provision, Davies was adamant that it should be single-sex since generic services provided for both genders would not take into account the gendered nature of much domestic abuse. She explained how Hafan was 'pushing for those services [housing and refuge] to be single-sex and specific'.¹⁴¹ Hafan was initially set up with a very strong social welfare focus, as a housing provider, and has continued to define domestic abuse as a social welfare issue as it has developed and diversified into education, training and other support work.¹⁴² Repeatedly, the organisation has resisted or actively discouraged framing the issue as a criminal justice problem, making these views clear to the NAW and the WAG, for example when submitting evidence to the Communities and Culture Committee's 2008 inquiry into Domestic Abuse in Wales.

We will also be basing our view on the fact that only approximately 25% of all domestic violence is reported to the police or becomes a criminal justice matter and that service provision needs to reflect this, rather than focus on the criminal justice system alone as being the primary means of addressing domestic abuse. Indeed, much domestic violence is emotional, financial or mental violence and is not currently able to be dealt with through the criminal justice system. The appropriate targeting of scarce resources, we feel, needs to reflect this.¹⁴³

¹⁴⁰ Interview, Cathy Davies, Hafan Cymru, Carmarthen, 04.04.2011

¹⁴¹ Interview, Cathy Davies, Hafan Cymru, Carmarthen, 04.04.2011

¹⁴² Hafan Cymru, written evidence supplied to Communities and Culture Committee Inquiry, 03.07.08; <http://hafancymru.co.uk> [Accessed 23rd September 2009]

¹⁴³ Hafan Cymru, written evidence supplied to Communities and Culture Committee Inquiry, 03.07.08

Other women's organisations that were engaged in policy development with the Assembly – during the development of the first WAG strategy, the NAW's Communities and Culture Committee's 2008 inquiry and the WAG's 2010 strategy – include New Pathways and the Minority Ethnic Women's Network (MEWN). New Pathways is a medium-sized organisation local to Merthyr Tydfil in south Wales, which was established in 1993 to provide a service to women who had suffered from rape and sexual abuse. In 1997 the organisation widened its remit to provide a service for men and children, too, and they now provide services from several other locations across Wales.¹⁴⁴ They have adopted a non gender specific definition of sexual violence, and while giving oral evidence at a Communities and Culture Committee meeting on 5th June 2008, their Director, Libby Jones explained that:

We take referrals and we deal with *everyone as a person; no-one is treated differently*. The *service is provided across the board to men, women and children* with any belief or religion; *anyone* can be referred to New Pathways.¹⁴⁵

As the italicised sections show, New Pathways does not gender domestic or sexual abuse as a women's issue. In fact, at no point in their written evidence submission to the same meeting did they note that it is women who are overwhelmingly the victims of domestic and sexual violence.¹⁴⁶ Similar to larger organisations like Welsh Women's Aid, New Pathways has adopted a hierarchical structure, with a director, management committee and paid project staff. Again, like Welsh Women's Aid, they tend to frame domestic abuse a family and individual issue without tying this to male dominance in the wider gender order. In their written evidence to the Communities and Culture Committee, they make repeated reference to the family, as below.

In our experience, victims of domestic/sexual abuse come

¹⁴⁴ <http://www.newpathways.co.uk/> [Accessed, 31.03.2011]

¹⁴⁵ Transcript, Communities and Culture Committee Meeting, 05.06.2008: 21

¹⁴⁶ Clearly, domestic and sexual violence are not one and the same thing, but as New Pathways does provide services relating to the former, it is included here. Make clear differences between DV and SV but explain as organisation deals with both and was contacted by NAW relevant example here.

from all ages, socia-economic [sic] backgrounds and ethnic groups. However, also based on our experience, we believe that the majority of acts of rape or sexual abuse are committed by *partners or family member*.¹⁴⁷

MEWN, by contrast, is not an organisation that works directly with women who have suffered or are suffering from domestic abuse. Rather, it works with women from ethnic minority groups and as such provides signposting for women who require support services. In their written evidence submission to the NAW for the Communities and Culture Committee's 2008 Inquiry, the organisation adopts a non gender specific approach to domestic abuse, discussing the lack of BME-specific services for men, women and children.¹⁴⁸ They, too, frame domestic abuse as a family issue, as illustrated below by Alihya Mohammed's – MEWN's Chief Executive – comments, made during an oral evidence session in Committee on 5th June 2008.

Confidentiality is very important, and what we found in BME communities is that they are worried that information will get back to their husbands, brothers or other family members.¹⁴⁹

Amongst the most recognised women's organisations in Wales then, there are similarities in the frames adopted to represent domestic abuse; the most significant of these is that many groups – and in particular those affiliated with Welsh Women's Aid – gender the problem as a women's issue. However, most tend to focus on the subject of the victim as an individual or a family, and are generally reticent in tying this framing to a discourse of inequality in the wider gender order. In addition, in terms of the services and solutions offered, a social welfare discursive frame is adopted much more frequently than a criminal justice discursive frame.

From the 1970s to the late 1990s the attention of Welsh women's organisations was directed at central, Westminster government, via the Welsh Office, which ostensibly

¹⁴⁷ Communities and Culture Committee Scrutiny Inquiry, written response from New Pathways, 05.06.08

¹⁴⁸ Communities and Culture Committee Scrutiny Inquiry, written response from MEWN, 05.06.08

¹⁴⁹ Transcript, Communities and Culture Committee Meeting, 05.06.2008: 6

failed to acknowledge domestic abuse as a public problem and place it on the institutional policy agenda. Very quickly after the establishment of the National Assembly in 1999, however, regional women's organisations were able to target politicians closer to home, some of whom had been, and continue to be, active members of the women's movement themselves, meaning there are informal, personal relationships between insider and outsider actors in addition to formal contact to be expected between AMs and civil society organisations.¹⁵⁰ In this instance, the issue was recognised as a policy problem – though there were significant differences in its representation and gendering.¹⁵¹ Most apparent is the difference in the way that women's organisations gender abuse which conflicts with the NAW's gender neutral approach.

The section below examines Tuscan women's organisations' approaches to domestic abuse, followed by a discussion and comparison of the discursive frames adopted by women's organisations across both regions.

4.2.4. Discourse on domestic abuse in Tuscan women's organisations

Much like in Wales, in terms of discourses and action orientations women's organisations working in Tuscany from the bottom up have long identified domestic abuse as a public problem requiring governmental action in order to bring about a solution.¹⁵² Again, like their Welsh counterparts, the women's movement in Italy campaigned from the 1970s to have the issue recognised and placed on the policy agenda, though as a result of the differing national context many women's organisations were focused on issues of abortion and divorce over and above domestic abuse. Where claims were made, domestic abuse was framed as a gendered issue, as male violence against women, and represented as a symptom of structural inequality between men and women (Rodano 2010). However, as in Wales

¹⁵⁰ Jane Hutt AM (Labour) has a history working in the women's refuge movement, Kirsty Williams AM (Welsh Liberal Democrats) is a patron of Brecknock Women's Aid, and Leanne Wood AM (Plaid Cymru), who was elected to the Assembly for the first time in 2003, is a former Women's Aid project worker and now Chair of Cwm Cynon Women's Aid.

¹⁵¹ Evidently, shifts in wider societal conditions play a part in the NAW's willingness to recognise the issue as a policy problem and I would certainly acknowledge these more macro trends. However, the purpose of my thesis is to focus on the conditions inside the Assembly itself, and as such discussion of changes in societal conditions or values will be limited.

¹⁵² See preceding theoretical chapters for a full discussion of women's organisations' actions to combat domestic abuse and to lobby government for action.

and the UK more widely, women's organisations' engagement with the central state over the issue of domestic abuse has continually failed to yield legislative results.

Certain elements of the women's movement in Italy have historically had a more organised, party political basis than that of the UK. This considered, there were some serious divisions amongst women's organisations in Italy over the 1970s and 1980s, with political party-affiliated organisations – like the *Unione Donne Italiane* (Udi) ¹⁵³ – and political party-opposed collectives clashing over the idea of breaking away from institutionalised party politics. Feminist women organised in non-party political collectives were deeply suspicious of organisations working with or within established political parties, as they felt that these structures were particularly resistant to change. Mistrust of institutionalised politics remains a hallmark of women's organisations in Italy today. Women's collectives freely organised at the local level where and when there was an impetus, but the Udi operated through a hierarchical, centralised structure with national, regional and local tiers (Rodano 2010; Schiavo 2006). These two strands were, however, largely united by the major project of campaigning to legalise abortion and divorce. Subsequent to the legalisation of abortion in 1978, the Udi dissolved its hierarchical structure in 1982 in favour of a horizontal model, leaving local and regional organisations to organise themselves. Many feminists who had been active in local level women's organisations up until then began to involve themselves in 'newly developed service-orientated activities such as women's shelters' (Plesset, 2006: 54). These women tended to adopt a more radical understanding of the causes of domestic abuse, and thus the steps required to combat it.

An examination of a range of larger and smaller women's organisations in Tuscany that provide support services for women suffering from domestic abuse to a certain extent illustrates this more radical framing. Voluntary or non-profit organisations almost exclusively frame domestic abuse as a gendered issue and a symptom of women's wider inequality in society. However, there are differences between organisations in terms of structure and focus on criminal justice dimensions of domestic abuse.

¹⁵³ An auxiliary organisation of the Italian Communist Party (Pci), later renamed Unione Donne in Italia in 2003

Generally regarded as the most established and most recognised domestic abuse organisation in Tuscany is Florence-based Artemisia. Established in 1991, Artemisia provides services for women from across the region, though its only centre is in Florence.¹⁵⁴ It provides services to women and children (of both sexes) and in some cases families, but maintains at its core a feminist ethos and gendered definition of abuse, taking the United Nations' 1993 definition of gendered violence as its model and stressing the importance of connections between women. The organisation's statute states:

At the base of its interventions, the organisation builds upon guiding principles of self-determination and *relationships between women* in an effort to support the process of breaking away from a violent situation. The organisation identifies itself with the definition of gendered violence affirmed in the General Assembly of the United Nations Resolution 48/100 of 20th December 1993: "any act of violence related to a person's sex, or the threat of such an act, that produces, or may produce damage, physical, sexual or psychological suffering, coercion or arbitrary deprivation of freedom, either in the *public or private lives of women*".¹⁵⁵

The organisation, similar to a handful of its Welsh counterparts, frequently uses internationally recognised definitions of violence and abuse. In information that they provide to women using their service, for example, Artemisia adopts the World Health Organisation's definition of violence:

The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment

¹⁵⁴ <http://artemisiacentroantiviolenza.it/index.php?n=Artemisia.Donne> [Accessed 26th June 2009]

¹⁵⁵ Statuto dell'Associazione Artemisia, <http://www.artemisiacentroantiviolenza.it/index.php?n=Artemisia.Statuto> accessed [Accessed 01.04.2011]

or deprivation.¹⁵⁶

In using these internationally recognised definitions, the organisation frames domestic abuse in terms of more dominant or mainstream discourses of individual human rights.¹⁵⁷ However, like other organisations in Wales, Artemisia tends to couple this with a social welfare discourse which implicates children and families as subjects – rarely if ever does it adopt a criminal justice definition – as shown below in the italicised sections of this further extract from their statute:

The organisation pursues as its only goal *the protection of human and civil rights, social welfare, and education* in particular to tackle gender violence, and *promoting the protection of the rights of women and children*, guaranteeing the *victims of violence inside and outside of the family* refuge services, protection, support and care.¹⁵⁸

Though the organisation came together initially as a collective of women working to combat violence against women and domestic abuse, they were joined by a member of the local government in Florence, who became the founding partner in Artemisia.¹⁵⁹ The organisation has from the start received assistance from local government, and is run according to a more hierarchical structure, with an executive, various tiers of management and paid workers as well as volunteers. In total, Artemisia has over 20 paid workers and over 30 volunteers (Regione Toscana, 2009).

Artemisia's gendered definition of domestic abuse and focus on the relationships between women is very similar to Associazione Casa della Donna in Pisa, another of the established and well-recognised women's organisations working in the field of domestic abuse in Tuscany. The organisation provides services including a women's refuge, telephone helpline and counselling for women victims of domestic abuse. Casa

¹⁵⁶ WHO (2002) World Report on Violence and Health

¹⁵⁷ This is the same definition that the Region uses, for example in the PISR 2007-2010, which lends legitimacy to Artemisia's claims. See further discussion in conclusion.

¹⁵⁸ Statuto dell'Associazione Artemisia, <http://www.artemisiacentroantiviolenza.it/index.php?n=Artemisia.Statuto> [Accessed 01.04.2011]

¹⁵⁹ <http://artemisiacentroantiviolenza.it/index.php?n=Artemisia.Donne> [Accessed 26th June 2009]

della Donna was established in 1993 from women's and feminist groups operating in Pisa, and has always framed domestic abuse as a gendered issue and operated according to a feminist ethos (Regione Toscana, 2009). In an early record of a meeting of the organisation with other organisations across Italy in which Casa della Donna explain their work, one volunteer worker explained:

The idea for a service ... for women provided by women was born of the work of a feminist group, one of the groups forming Casa della Donna, some time ago... We started from an idea of women's freedom as a right for all women, made by all women, and not as a privilege for the few.¹⁶⁰

However, as opposed to representing domestic abuse using a social welfare discourse, the organisation also uses a criminal justice discourse. This is particularly apparent upon examining the sorts of support services the centre provides which indicate the responses thought to be suitable in relation to the problem of domestic abuse and also tell us something about how causes are represented. In addition to offering services like housing and work advice and support, the Casa della Donna has since its inception worked with qualified legal practitioners who provide women with help and support on criminal proceedings and the justice system. Like Artemisia and others, in spite of its feminist collective roots, the organisation operates according to a more culturally dominant, hierarchical structure. It employs over 20 paid workers, and uses more than 15 volunteers (Regione Toscana, 2009).

Like the above mentioned organisations, Liberetutte, another relatively well-known organisation operating in Tuscany uses a gendered definition of domestic abuse.¹⁶¹ Representatives of the organisation were also clear in making links between women's experience of abuse as individuals and wider societal inequality between genders during interview, as the italicised sections of extract below show:

there is still a culture, I mean, above all a chauvinist culture [...]

¹⁶⁰ Casa della Donna (1995), Record of proceedings, Convention of Volunteer Workers on Domestic Abuse Telephone Helplines, 28.01.1995

¹⁶¹ <http://liberetutte.org.it> [Accessed 26th June 2009]

there are still men who will stand in front of a judge and say, “she’s a wicked woman” [...] but a woman, she can’t say “my husband is a wicked man”, so, you see, that revolution has yet to come, and so it’s always like that, if women always have to carry that problem with them – because the women who come to us, who stay with us, one thing that they say is that they are always scared of being thought of as, above all else, bad women, or inadequate mothers [...] And *though that mentality has changed a lot, it still exists within our community*.¹⁶²

Again, similar to Artemisia and their Welsh counterparts discussed in the preceding section, Liberetutte most commonly adopts a social welfare discursive frame to represent domestic abuse. If we look again at the sorts of support services offered, which give an indication of the perceived causes and appropriate responses to the problem, we can see that they offer not just counselling or refuge but training courses in computing and the internet in order to support women and improve their employment options. The organisation is comparatively young, having been set up between 2003-2004 and is based in Montecatini Terme, around 25 miles northeast of Florence, the region’s capital (Regione Toscana, 2009). It operates through a hierarchical structure and employs paid workers (though only half as many as Artemisia and Casa della Donna), which Director Donella Baronti was keen to explain accorded the organisation an important degree of professionalism:

In any case, the quality of the service has to be – well, since we, we started as a voluntary organisation, so we know what volunteering looks like, and we know what professional work looks like. Opening a women’s refuge must be a professional thing, even from a contractual point of view – for what we are able to do, and we’re small, we must be a company, but whatever we are, volunteers are different in their way of doing things [...]. Our workers here do this as a job, as a profession. I think that as a women’s organisation working with victims of

¹⁶² Interview, Donella Baronti, Montecatini Terme, 20.07.2010

domestic violence, we don't have any time to lose.¹⁶³

There are several smaller organisations in the region like Associazione Olympia de Gouges in Grosseto, Amica Donna in Montepulciano and L'Una per L'Altra in Viareggio, which instead tend to operate entirely through a much smaller number of volunteers and perhaps a handful of paid workers – less than 10 (Regione Toscana 2009). As with larger organisations and most of their counterparts in Wales, these groups adopt a gendered frame to define domestic abuse and tend also to focus on social welfare issues, providing services to women such as support and counselling, either by telephone or in person. However, they operate away from the regional centre of Florence, and face very different pressures as volunteer-led organisations, in particular in terms of capacity.

So, amongst the most recognised women's organisations in Tuscany, as in Wales, there are certainly similarities in the way domestic abuse is framed as a public problem – the most significant of these is the way in which all groups gender the problem as a women's issue. In addition, a social welfare frame is adopted much more frequently than a criminal justice frame. Many groups tend also to focus attention on domestic abuse as a rights issue and are more explicit in framing the issue as a symptom of the wider gender order than their sister organisations in Wales.

Just as in Wales, the creation of a new regional tier of government with significant decision-making competences in relevant policy areas meant that regional women's groups were able to target a new set of politicians. Previously, much of their lobbying and activity had in fact been directed at local-level (municipality and district) equal opportunities infrastructure which was linked vertically to the central state. As stated above, before 2001 a few organisations like Artemisia had had early success in gaining support and resources from local government, but at the national level domestic abuse ostensibly had failed to be recognised as a public problem and placed the institutional policy agenda: as such regional government represented a step up from the local in terms of power and resources.

¹⁶³ Interview, Donella Baronti, Montecatini Terme, 20.07.2010

As I have discussed above, the first instance of domestic abuse being recognised as policy problem by the Region came soon after 2001, and was related to health care plans. In the period that followed, actors inside the Consiglio framed domestic abuse in markedly similar ways to most women's organisation actors, using a combination of social welfare and human rights representations and focusing on families and children. However, though Consiglio and Giunta actors maintain this framing right up until the passing of 2007 legislation, they did shift towards a gender neutral representation of the problem in opposition to regional women's organisations.

4.3. Domestic abuse on the agenda: two gender neutral representations

As shown above, representations of domestic abuse in the NAW shifted over the period 2001-2002 from gendered to gender neutral. When domestic abuse was first raised as a potential policy problem, AMs overwhelmingly framed the issue as implicating women because of their gender.¹⁶⁴ However, at the time when Ministers indicated that the problem was firmly placed on the policy agenda sustained challenges to the gendered representation of domestic abuse began to increase in number.¹⁶⁵ It was not only individual AMs who raised questions in plenary sittings over the gendered framing of domestic abuse, but scrutiny committees too – as when the Social Justice and Regeneration Committee requested the then Minister Edwina Hart re-consider the gendering of the first version of what was to become the 2005 strategy to include men.¹⁶⁶

In order to explain why and how this happened, we can point to the values and normative expectations of equality and consensus that have become embedded in the every day functions of the NAW. As discussed in chapter 2, the NAW is structured by a formal, statutory commitment to equality; the Assembly itself as an organisation and its members have a statutory duty to promote equality in all their actions.¹⁶⁷ In Wales, during the designing of the NAW, cross-party actors (from the Labour Party, from Plaid Cymru, the Welsh National Party and from the Liberal Democrats) who had come

¹⁶⁴ The Record transcript, 18.04.2002

¹⁶⁵ The Record transcripts, 18.04.2002; 23.03.2004; 12.12.2007; 06.02.2008; Social Justice and Regeneration Committee transcripts 23.11.2006; and 22.03.2007; Communities and Culture Committee transcripts 20.02.2008; and 05.03.2008.

¹⁶⁶ Social Justice and Regeneration Committee transcripts 23.11.2006; and 22.03.2007; Communities and Culture Committee transcripts 20.02.2008; and 05.03.2008.

¹⁶⁷ Government of Wales Act 2006, art. 77.1

together previously to campaign in favour of devolution placed the twin ideals of equality, consensus and inclusiveness at the core of their proposals (Chaney, Hall and Pithouse, 2001; Chaney, Mackay and McAllister, 2007; Wyn Jones and Trystan, 2001). To a large extent, these value commitments have become embedded in formal institutional rules, shaping the NAW's standing orders on gender equality and the committee structure of the Assembly.¹⁶⁸ The above analysis of the early stages of domestic abuse policy development indicates that they have also become embedded in informal institutional norms which shape expectations surrounding the political culture and style of the new body. Values of equality and consensus have set normative expectations both for the NAW as an organisation and for its individual members: its role and their role in developing this particular policy was to ensure equality for Welsh citizens and to co-operate with each other.

It is very clear from documentary and interview evidence detailed above that AMs repeatedly called attention to the need to represent men in any policy on domestic abuse. In certain instances, actors used statistics or anecdotes as evidence to support or legitimate their representations.¹⁶⁹ Others, however, did not rely upon evidence to support their gender neutral framing, but rather phrased interventions such that adopting a representation of domestic abuse where men were also implicated as victims was something that should be done automatically, or done as a duty; the gender of the subject of the victim was immaterial to their victimhood, and therefore services should be open to all. During a plenary debate in late 2004, Carl Sargeant AM (Welsh Labour) intervened to ask about support for male victims of domestic abuse:

Carl Sargeant: Would you agree that domestic violence against anyone, male or female, young or old, is totally unacceptable and will the Welsh Assembly Government examine what support could be offered to male victims of domestic abuse?

Here, Sargeant uses a blanket statement on domestic abuse – it is 'unacceptable' in any context – and in so doing he places all those who are victims in the same position without differentiating between the variations in causes or lived experiences there may

¹⁶⁸ Government of Wales Act 2006, art. 77.1

¹⁶⁹ The Record transcripts, 18.04.2002; 23.03.2004

be between genders or age groups or their differing needs. In this representation, domestic abuse as a policy problem requires *equal* – meaning the same – treatment of victims.

This '*equal*/treatment of victims' response, regardless of differing causes, or subjectivities is adopted throughout key agenda-setting moments in the development of both the first and second strategies. With regard to the 2005 strategy, minutes from meetings of the NAW's Social Justice and Regeneration Committee show how AMs wanted the WAG to reframe its proposed strategy document in non gender specific terms.¹⁷⁰ This framing was retained and reinforced for the 2010 strategy, where AMs stressed the need for equal – meaning the same – treatment of all victims.¹⁷¹

Throughout the policy development period for both strategies AMs' behaviour was arguably shaped by normative expectations of their role as ensuring equality. These expectations for appropriate behaviour and responses from policymakers are closely coupled with roles prescribed formal rules which require AMs to promote equality in all their activities.

In addition to this coupling of formal rules and informal norms regarding equality, normative expectations for consensual decision-making in Committee and a consensual relationship between the NAW and WAG also served to reinforce and retain the gender neutral framing of the 2010 strategy, in spite of challenges from AMs and women's organisations alike. As several AMs who were members of the Communities and Culture Committee have explained, standard operating procedure is to act 'on a completely non-party political basis'.¹⁷² However, it would seem that the issue of whether or not to gender the 2010 strategy was not uncomplicated – one committee member explained how there were 'lines of fundamental disagreement' over 'this, sort of, central dispute'¹⁷³ of sticking with the gender neutral representation or shifting to a gendered frame. Faced with this difficulty, pushing the point was not perceived to be appropriate in the context of a committee inquiry where normative expectations are for consensual working. As this same committee member explained:

¹⁷⁰ Item 6, Minutes Social Justice and Regeneration Committee meeting, 09.06.2004

¹⁷¹ Social Justice and Regeneration Committee meeting transcript, point 94, 22.03.2007; Communities and Culture Committee Meeting transcript, 05.03.2008: 8

¹⁷² Interview, Mark Isherwood AM, Cardiff 07.04.2011

¹⁷³ Interview, male AM, Cardiff, 14.04.2011

when there are lines of fundamental disagreement like that it is sometimes just easier to try and take the gender issue out of it and just concentrate on the violence, and what's causing that, in terms of alcohol, drug abuse, whatever, psychiatric issues, etc. etc., housing pressures or financial, whatever, on the family unit. And that's the way certainly Government was thinking.¹⁷⁴

Regarding the inquiry, the committee member went on to explain that:

lots of people like to work consensually and we try not to get into any votes in these committees because as I said it's not particularly party political so we try and use a form of words that everyone can agree with.¹⁷⁵

So, in spite of the fact that there were serious disagreements, the behaviour perceived as most appropriate by the actors involved was to try to find a consensual way through. And so, in continuing with the gender neutral frame, space was left open to reinforce the families and children representation favoured by most AMs. The result in terms of the SRW and the constraints imposed on the participation of women's organisations who did not deploy this representation will be more closely explored in the chapters that follow.

In Tuscany, the Consiglio also shifted from a gendered representation of domestic abuse to a gender neutral framing once the issue was placed on the policy agenda. However, the processes behind this shift are quite different from those in the NAW. Certainly, as in Wales, the Consiglio's new post-2001 statute made a strong formal commitment to inclusion and gender equality (Bianchi 2005). However, the wider institutional context in which the new Consiglio was and is nested has historically been marked by strong party political divisions and a distinct lack of consensus. The campaign for regionalisation itself was at a national level characterised by cleavages between parties of the left and right, in contrast with the cross-party working seen in

¹⁷⁴ Interview, male AM, Cardiff 14.04.2011

¹⁷⁵ Interview, male AM, Cardiff 14.04.2011

Wales. The documentary evidence analysed above indicates that throughout the early stages of policy development in this case, in spite of some individuals like Petraglia and Celesti managing to work together, party cleavages remain and no real embedded norms around consensual ways of working were set. Further to this, the gender order in wider society and gender regime inside the Consiglio is markedly different from that inside the NAW; as observed earlier, interventions in plenary and committee sessions regarding domestic abuse were almost uniquely made by female AMs, with male AMs very much absent. This is in distinct contrast to the NAW, where roughly equal numbers of men and women, particularly after 2002, spoke out on domestic abuse. There has been, then, decoupling between formal rules which effectively prescribe the role of equality advocate to the Consiglio and its AMs and the conflicting normative expectations of appropriate masculine and feminine behaviours inside the assembly.

As discussed above, initially domestic abuse was represented by AMs as a gendered problem. Interventions in plenary debates from 2004 onwards tend to be made by the same female AMs, who worked with each other to frame domestic abuse in terms of violence against women, drawing on a wider human rights discourse. In plenary sessions in November 2004 and 2006, coinciding with the UN's International Day for the Elimination of Violence Against Women, in their interventions AMs framed abuse as a 'shameful violation of human rights'¹⁷⁶ in accordance with UN statements. However, the efforts of AMs tabling the Motion in 2006, led by Petraglia, failed to gain any real traction inside the Consiglio, where AMs not involved in putting the motion together reacted negatively to the requests. The Motion was not carried, indicating a lack of support for the agenda, and a lack of resonance in the discourse used to construct domestic abuse and violence against women as policy problems.¹⁷⁷

Angiolini also intervened in the debate, detailing her concern that the motion would serve only a symbolic function given the lack of interest on the part of the regional government and of the male AMs present in the chamber in the problem of the abuse of women and children:

¹⁷⁶ Text, Motion n.801 'Tackling domestic abuse against women' 24.11.2004; Plenary session transcript 08.11.2006

¹⁷⁷ Plenary session transcript 08.11.2006

to do all of this, and I am telling you this as an ex-Minister, you need money, you need resources, otherwise they're just nice words that stay on paper, but this motion deserves financing, whether through a special fund or any other means we can find. I'm stressing this because the central point is this... *there has to be a genuine will on the part of the Giunta, on the part of this administration*, to increase the funds directed at the protection of women and children *otherwise it's all very nice to talk about it, but as you can see, it does not really interest any of the men here.*¹⁷⁸

This lack of backing for the 2006 motion followed a series of frustrations for those AMs who had been trying to get domestic abuse placed on the Consiglio's and the Giunta's policy agenda for some time. Most significantly in relation to a legislative proposal on the subject of violence against women – proposta di legge (legislative proposal) n.121 Regional Interventions to Combat Violence Against Women and Children – which was submitted by a group of AMs from the right wing Forza Italia Party, led by Anna Maria Celesti, on 9th September 2006.¹⁷⁹ Pdl n.121 framed domestic abuse as part of the wider phenomenon of violence against women, something represented as 'the consequence of historic social, economic and cultural inequality between men and women.'¹⁸⁰ The proposal made the case that protection from violence and abuse is a right guaranteed by the Italian Constitution, the EU and UN, and called for the creation of women's refuges and temporary accommodation to support women and children who had been victims of abuse.¹⁸¹ The proposal was sent to the Consiglio's Planning and Budgetary Committee and Health and Social Policy Committee for approval, but was not examined until June 2007. When pdl n.121 was finally examined, the Health and Social Policy Committee rejected it, stating that this issue was already covered by existing legislation on social citizenship, passed in 2004.¹⁸² The Planning and

¹⁷⁸ Plenary session transcript, 08.11.2006

¹⁷⁹ Though the proposal was initially rejected, when Alessia Petraglia came to propose what would become lr. n.59 2007 in July of 2007 the Health and Social Policy Committee recommended that the two proposals be merged.

¹⁸⁰ 'Presentazione' proposta di legge n.121 'Regional interventions to combat violence against women and children', 12.09.2006

¹⁸¹ Art. 4 and Art. 6 proposta di legge n.121 'Regional interventions to combat violence against women and children', 12.09.2006

¹⁸² Health and Social Policy Committee Opinion Communication, 15.07.2007

Budgetary Committee also rejected the proposal, ostensibly on account of its lack of considered budget planning.¹⁸³

However, it's worth noting here that the rejection of a legislative proposal tabled by Consiglio AMs is not in itself unusual, in fact, as Petraglia explained in interview:

Laws are normally made – legislative power is for the most part exercised by the Giunta, who send the Consiglio their laws. Legislative proposals are made in the assembly, but there are very few which make it.¹⁸⁴

In order to be passed, proposals must satisfy the conditions of both the Giunta and be voted for by a majority of AMs in the Consiglio. This meant overcoming first deep-seated left-right cleavages in an Assembly which, at the time, was split 45 seats to 20 between parties of the left and parties of the right, where all AMs from the governing coalition on the left, not just women, would need to back a vote for it to be passed. More significantly in our case, it mean managing the gender regime of the Consiglio in which male AMs – who at the time made up 75% of Consiglio members – did not appear to perceive it appropriate that they should speak out on domestic abuse which was initially represented as a women's issue, evidenced by the fact that only one male AM intervened in debates.¹⁸⁵ Petraglia explained in interview that this was common for most themes perceived to be women's issues:

In a plenary, when – usually if you talk about abortion, a woman's right to choose, the morning after pill, normally we talk about, the interventions are all made by women on topics like this.¹⁸⁶

This was not just an issue inside the assembly, but part of a wider prevailing set of normative expectations which contribute to a perception that equal opportunities and equal rights are 'feminine' issues to be considered by female AMs. Federico Gelli, ex-

¹⁸³ Planning and Budgetary Committee Opinion Communication, 23.05.2007

¹⁸⁴ Interview, Alessia Petraglia, Florence, 05.07.2010

¹⁸⁵ Plenary session transcript, 08.11.2006

¹⁸⁶ Interview, Alessia Petraglia, Florence, 05.07.2010

Minister for Equality of Opportunity in the region supported Petraglia when he alluded to this perception in interview:

We can safely say that I was the first man, the only man in Italy who has been Regional Minister for Equality of Opportunity, certainly the first. And, at that point [when he was made Minister], I understood that this theme could be developed in other ways.¹⁸⁷

The 'other ways' of developing the issue Gelli mentions relates to fitting questions of violence against women into a broader citizenship rights framework where the subjects of policy were not always automatically women, but citizens. This was a shift that Petraglia understood – as she explained during interview:

to decide on the name [of the law] I think we had discussions and meetings and... You can see of course that the name of the law is "gender violence", we had to work a lot on that... those who have always worked on violence against women wanted a law on violence against women, yes, and I understand, but, those who have a political role need to know how to present all of this to male and female citizens'.¹⁸⁸

For the proposal to gain traction and be placed on the agenda, then, it was important to make its relevance to *all* citizens known, and to gain the support of male AMs as well as those female AMs who had already been working cross-party. Normative expectations around 'masculine' and 'feminine' roles were such that representing domestic abuse as a women's issue marginalised discussion and constrained actors in placing the problem on the agenda. A shift in gendering, with the rights discourse subsuming the gender equality discourse was required in order to engage policymakers of both sexes and across all parties.

¹⁸⁷ Interview, Federico Gelli, Pisa, 14.07.2010

¹⁸⁸ Interview, Alessia Petraglia, Florence, 05.07.2010

4.4. Conclusion – norms and discursive frames beyond problem representation

Though across both cases women's organisations and those policymakers that first sought to place domestic abuse on the policy agenda overwhelmingly gendered the problem as implicating women, normative expectations attached to values of equality in Wales and perceptions of appropriate masculinities and femininities in Tuscany limited the resonance of this representation. Instead, framing of domestic abuse shifted to gender neutral and remained this way once placed on the policy agenda. This norm-driven shift away from the gendered discursive framing used by most women's organisations across both regions came at the beginning of policy development, but had a significant impact on the formulation of domestic abuse policy and eventual outcomes. During these latter stages of policy development the marginalisation of particular women's organisations and particular representations of the problem was further embedded as a result of the interaction of another set of normative expectations attached to bureaucratic and technical working, which I will go on to discuss in depth in the following chapter.

To return briefly to the introduction of this chapter, we can now shed some light on the web of cultural and discursive structures, formal rules, and relationships between actors which not only shape the ways in which policymakers and women's organisations frame domestic abuse, but also shape the ways in which the groups and assemblies themselves interact, with implications for the SRW. Actors inside both the Consiglio and the NAW are prescribed and perceived to have particular roles in policy development which are built upon a mixture of particular informal normative expectations and formally specified responsibilities. The cultural and discursive structures of both assemblies shape and are shaped by these expectations and responsibilities, making available particular 'ways of seeing' the world, and 'ways of being' in the world (Willig, 2001).

During the early stages of policy development that I have assessed in this chapter, we can see that role expectations relating to AMs across both cases have constrained discussion over domestic abuse as a gendered issue; this is in contrast to the majority of women's organisations across both regions who recognise and represent the uneven pattern of who tends to be abused and who tends to be abuser. In Wales, the result has been a strong focus on families and children, with the problem of domestic

abuse de-gendered and located within 'flawed' individuals and their relationships. In Tuscany, domestic abuse has come to be represented as a rights issue, where the focus is on the non gender specific citizen as the subject of policy. In the next chapter, I will widen out discussion past representations of domestic abuse to the formulation of policies on domestic abuse in the NAW and the Consiglio. The differing engagement of particular women's organisations will be examined and the way in which formal rules and informal norms have both enabled and constrained dialogue will be explored.

CHAPTER 5. Participation in policy formulation: gendered patterns of inclusions and exclusion

Public decision-making favours organised as against not-organised interests; organisations which can as against organisations which cannot advance the cause of the administrative units with which they deal; organisations led by people who share the social background, the language, the cognitive assumptions, the moral and political preferences of administrative elites, as against those led by other kinds of people (Poggi, 1990: 134 in Della Porta, 2003: 150).

5.1. Introduction

This chapter continues with the analysis and comparison of how particular actors were enabled or constrained during the development of domestic abuse policy in both Tuscany and Wales. In chapter 4, I explored how women's organisation actors and policymakers across both sites used diverse discourses to discuss the policy problem of domestic abuse during the early stages of policy development. In both cases informal norms and discursive structures of the assemblies encouraged the retention of a gender neutral representation of domestic abuse by policymakers. I now move on to explore whether and how women's organisation actors were enabled or constrained in participating in consultation processes during the policy formulation stage of the policy development process. Although as discussed in chapter 2 across both assemblies policymakers are committed to consulting civil society organisations during policy development, informal norms shaped policymakers' perceptions of appropriate behaviour resulting in the exclusion of particular women's organisations from participating.

This chapter analyses data from interviews with 10 insider and outsider actors, and 29 separate documents comprising. As with the preceding chapter, the documents analysed are varied, but the majority are again institutional documents from the Consiglio and NAW. They are comprised of: two ministerial statements on domestic abuse; one plenary transcript where domestic abuse was debated; four sets of working group minutes where domestic abuse policy was discussed; three assembly or government reports on domestic abuse; two pieces of internal assembly

correspondence relating to the formal consultation process on domestic abuse policy; and six sets of committee meeting transcripts or minutes where domestic abuse policy was discussed by Consiglio or NAW scrutiny committees. I also analyse a number of documents from outsider actors, including: one report on domestic abuse from an external organisation report; and nine consultation responses from women's organisations in the regions.

The specific element of the policy formulation process I analyse in this chapter is external consultation. I focus on consultation as across both assemblies formal rules requiring consultation with civil society organisations form an integral part of their commitment to openness and inclusion. Consultations are structured public engagements which require the public authority leading the initiative to call for, receive, analyse and respond to information and opinions expressed by concerned stakeholders. These stakeholders may be individual citizens and also civil society organisations. They may be open processes, whereby any interested individual or organisation is free to submit their opinions and concerns, or rather more closed processes which take the form of specific representatives giving evidence to policymakers.

I use the above listed data to first explore and explain how consultation unfolded in practice across both sites during domestic abuse policy formulation, highlighting **who** (which actors) was engaged, **when** (at what stage), and **where** (at which site), tracing the input and influence of diverse actors over time. All of this is analysed with reference to the formal rules which prescribe particular roles to particular actors with a focus on answering my second research question, which asks what the introduction of these new formal rules means on the ground for actors who exist within gender regimes with embedded, pre-existing informal norms and values. The participatory patterns I discuss in this section resulted in the inclusion of particular kinds of women's organisation – those which were most able to make claims in a way that resonated with policymakers – and the exclusion of others – those which did not meet policymakers' expectations of appropriate behaviour.

In the final section, I analyse why and how this pattern of inclusion and exclusion in consultation occurred. Certainly, we can point to the enactment of new formal rules

across both sites, which seek to encourage the engagement of civil society groups in the policy process, as significant in shaping interaction between actors and the inclusion of certain women's organisations in consultation processes. However, formal rules only provide part of the picture. It is crucial to examine the ways in which the assemblies' gender regimes and the wider gender order shape informal rules prescribing routine ways of working, and normative role expectations for appropriate behaviour, structuring interaction between actors and enabling the participation of some whilst shutting out others. These rules operate at a cognitive level, and are 'based on an internalisation of gendered norms acted out routinely in... everyday life' (Lazar, 2005: 9-10).

Though both the NAW and the Consiglio are products of consciously designed new formal statutes, which include uniquely advanced new formal rules seeking to promote gender equality and the inclusion of civil society organisations, neither was created in a vacuum. Rather, both legislatures have been introduced into a multi-level configuration of overlapping, pre-existing (or 'old') formal and informal institutions, with the latter tending to be especially tenacious and persistent. How actors negotiate this 'institutional bricolage' (Kenny and Chappell, 2011) and what effect this has on their interactions is not at all straightforward. At certain times, overlaying of formal and informal institutions sees formal and informal rules and their associated role expectations complement and reinforce one another, but at others formal rules can be undermined or displaced by informal ones and vice-versa (Leach and Lowndes, 2007; Lowndes and Wilson, 2001; Mackay, 2010).

In the concluding section of the chapter, I discuss how the enactment of new formal rules encouraging broad consultation on domestic abuse policy proposals was undermined by pre-existing informal normative expectations relating to practices of bureaucratic and technical working. These expectations act as informal rule sets, structuring interactions between AMs and women's organisations and perceptions of appropriate behaviour. Furthermore, I go on to explore how these informal rules are gendered, and how – albeit with some variations across cases – in keeping with the wider gender order they tend to privilege a particular kind of dominant masculinity and traditional conception of professionalism, at the expense of a particular kind of emphasised femininity (Connell, 1987).

5.2. Policy formulation – consultation, scrutiny and debate

Policy formulation entails the process by which ‘pertinent and acceptable courses of action... for public problems’ (Anderson, 2006: 103) are developed. Generally speaking, this occurs as a number of policy proposals – written or oral depending upon the stage of formulation – are put forward by various actors, who may then modify them and/or introduce others in an effort to see them adopted. The process usually, therefore, involves a good deal of interaction and negotiation amongst actors, who are guided by a whole range of (potentially conflicting) material and cultural factors – for example budgetary constraints and technical feasibility, or congruence with the representation of the problem adopted. As Anderson points out, this can often lead to policymakers putting forward proposals whose contents may not be those that the actors involved are most happy with, but instead those for which ‘the proponents of action think they can win approval’ (2006: 121).

In both Wales and Tuscany proposals on domestic abuse policy were put forward by a range of actors, including legislators, governmental and non-governmental agencies, and, more rarely, representatives of women’s organisations.¹⁸⁹ In Tuscany, it was fairly consistently AMs as opposed to government ministers that set out proposals on domestic abuse policy in both oral and written form during the course of the time period studied; whereas in Wales, both AMs and government ministers (with the involvement of government agencies) introduced written and oral policy proposals, as well as a handful of women’s organisations who were able to put forward proposals during consultation. Across both cases, AMs and government proposals were either debated in plenary sittings of each legislature, and/or considered by relevant government departments and assembly committees for scrutiny. The proposals that women’s organisations put forward in Wales were considered in committee, and by those civil servants responsible for drafting official proposals. These three procedures, then – plenary sittings, committee meetings and external consultation – are key arenas for interaction between insiders and outsiders in policy formulation, and as such merit particular attention.

¹⁸⁹ Evidently, administrative agencies and civil servants have a role in policy formulation, though this dimension of the process is far beyond the scope of this project.

5.3. Engaging women's organisations – passive or active participation?

As I have outlined in chapter 2, formal rules across both regions prescribe all women's organisations a role in policy formulation as 'consultees'. In this next section, I explore whether and how these formal rules were enacted on the ground, in every day processes during domestic abuse policy formulation. I look first at the Welsh case before moving on to compare data from Tuscany. The empirical data from both regions presents a more complicated picture than the formal rules alone suggest, as even when they were enacted, this enactment was mediated and sometimes undermined by informal rules structuring interaction between AMs and women's organisations. This contributed to the exclusion of particular kinds of women's organisations from consultation processes. Furthermore, again across both cases, material pressures contributed to the difficulties that certain women's organisations faced in engaging actively in policy formulation.

5.3.1. Policy formulation in Wales

With regard to both the WAG's 2005 and 2010 domestic abuse strategies and the NAW's 2008 domestic abuse inquiry, documentary and interview evidence clearly shows that consultation with women's organisations – as well as statutory organisations and other interested stakeholders – occurred.¹⁹⁰ However, there were significant differences in the way in which consultation was conducted. Consultation related to the development of the 2005 strategy was very limited in scope compared to the consultation that was undertaken by the NAW's Communities and Culture Committee for its inquiry in 2008. The conclusions of the latter fed into the formulation of the 2010 strategy, though smaller, more targeted focus group consultations as well as special staff seconded to the WAG's civil service were also involved.

5.3.1.1. Consultation on the 2005 strategy

For the 2005 strategy, consultation was not openly advertised but instead largely took place through the WAG's Working Group on Domestic Abuse (which later became the Working Group on Domestic Abuse and Violence Against Women).¹⁹¹ This group was

¹⁹⁰ Interviews, Mark Isherwood AM, Cardiff 07.04.2011; Dai Lloyd AM, Cardiff 22.03.2011; Interview male AM 14.04.2011; Minutes Working Group on Domestic Abuse 02.12.2007; Transcript CC(3) 03-08, Communities and Culture Committee Meeting, 20.02.2008; Welsh assembly Government (2009) Violence Against Women Consultation Responses Report

¹⁹¹ Minutes Working Group on Domestic Abuse 02.12.2007

comprised of NAW officials, including civil servants from the Communities Directorate, the Crime Reduction Unit, Housing, NHS Wales and Social Policy Development, as well as representatives from women's organisations like Welsh Women's Aid (Tackling Domestic Abuse The All Wales National Strategy: A Joint Agency Approach, 2005: 29). While the Group's membership has changed since it was created, it has always included members from the larger women's organisations in the region including Hafan, Welsh Women's Aid and BAWSO.

The Group was set up in May 2002 by then Minister for Health and Social Services Jane Hutt, whose contribution in getting domestic abuse placed on the policy agenda was recognised by interview participants like Cathy Davies of Hafan Cymru. She explained how the working group was set up on the one hand because '[t]he Assembly had been increasingly trying to take a more active role in relation to domestic abuse. And certainly, that was being pushed by cabinet members, people like Jane Hutt',¹⁹² and on the other how pressure from the bottom up had contributed to the WAG's action:

there was concern about some of the services on the ground, and patchiness and consistency, and also about parity between areas, you know, some better funded and some better resourced than others and that actually that wasn't a very good approach, so there was an increasing awareness that there needed to be a much more strategic approach, and a number of us lobbying and pushing and so on and so forth.¹⁹³

The Group's members were selected and invited by the WAG – there was no open call for participation – with the Women's organisations that were invited initially being: Welsh Women's Aid, Hafan Cymru (then known as Cymdeithas Tai Hafan), BAWSO and the North Wales Domestic Abuse Forum – which represented 10 Women's Aid-affiliated groups from north Wales.

In a cabinet statement in April 2002, Hutt set out the group's remit as:

¹⁹² Interview, Cathy Davies, Hafan Cymru, Carmarthen, 04.04.2011

¹⁹³ Interview, Cathy Davies, Hafan Cymru, Carmarthen, 04.04.2011

The main purpose of this Group will be to develop a comprehensive strategy for Wales covering the criminal justice, health, social welfare, child protection, education and equality aspects of domestic violence and violence against women.¹⁹⁴

It is clear, then, that the group was set up with the intention of contributing actively to the process of domestic abuse policy formulation. This represented an innovation in terms of the role women's organisations were able to fulfil – participating groups had a much more active role than that prescribed by formal rules. However, it was not the whole group that was involved in the development and formulation of the 2005 strategy, but rather a handful of members who formed a sub-group and were given responsibility for drafting the strategy proposal. One of these members was Cathy Davies of Hafan Cymru, who was working alongside representatives from BAWSO and Welsh Women's Aid, as well as representatives from a handful of statutory and non-statutory bodies, including community safety partnership officers. At several stages during policy formulation, the sub-group reported back to the working group who were able to provide feedback on the direction the proposed strategy was taking, but this was in a reactive rather than a proactive capacity.¹⁹⁵

After the final draft of the 2005 strategy was published, the Group agreed to change its Terms of Reference in order to reflect a shift in its functions from the development of a strategy, to 'monitor and evaluate the progress of the all Wales Domestic Abuse Strategy'.¹⁹⁶ From that point onwards, the Group was indeed focused on a monitoring role as opposed to a policy initiation or formulation role.

As regards the 2005 strategy then, we can certainly say that formal rules were enacted to an extent. Women's organisations were consulted on policy proposals through the creation of the two-tier Working Group. In the main, organisations selected to participate in the group were able to fulfil the role of 'consultee' formally prescribed to them. Furthermore, a specific sub-set of organisations were prescribed a much more

¹⁹⁴ Jane Hutt, Minister for Health and Social Services, Cabinet Statement, 18.04.2002

¹⁹⁵ Interview, Cathy Davies, Hafan Cymru, Carmarthen, 04.04.2011

¹⁹⁶ Minutes Working Group on Domestic Abuse, 12.09.2005

active role in drafting policy. However, many other regional women's organisations working in the domestic abuse sector were not invited to participate in the Group, and as such had no direct role in policy formulation at all. There is nothing in the formal rules which makes reference to selection criteria for participation. Instead, organisations that benefitted from personal and professional connections with the Assembly were engaged, like Welsh Women's Aid, an organisation that had a longstanding personal connection with Jane Hutt: she was one of the women who opened the first Women's Aid refuge in Wales back in the late 1970s (Charles and Jones, 2010).¹⁹⁷ In addition, as discussed in chapter 4, both Welsh Women's Aid and BAWSO receive core funding from the WAG and as such are closely linked to the Assembly.

5.3.1.2. The 2008 Communities and Culture Committee inquiry

Following its change in remit, the Working Group was invited to submit evidence to the Communities and Culture Committee's 2008 Inquiry into Domestic Abuse in Wales, in the same way that other interested stakeholders were, in the role of 'consultee'. Initially Working Group members requested further information before deciding whether and how to respond to the Inquiry, and in the event instead of issuing a group response, individuals chose to submit evidence through their own organisations, if at all.¹⁹⁸

In contrast with the relatively closed nature of consultation on the 2005 strategy, the Communities and Culture Committee Inquiry was characterised by relatively broad and deep consultation with women's organisations, statutory and non-statutory bodies.¹⁹⁹ In fact, in the Communities and Culture Committee meeting where domestic abuse was first mooted as a topic for inquiry, the necessity for consultation of interested stakeholders was raised straight away by AMs:

Peter Black AM: The strategy is important, but we have to see what is happening on the ground, and what impact that is having, and what the problems are.

¹⁹⁷ Interview, Hannah Austin, Welsh Women's Aid, Cardiff 25.07.2011.

¹⁹⁸ Minutes Working Group on Domestic Abuse, 12.03.2008, Minutes Working Group on Domestic Abuse, 11.06.2008

¹⁹⁹ NAW Communities and Culture Committee (2008) Domestic Abuse in Wales, Annexes 2 and 3.

Janice Gregory AM: Yes. [...] if you have anyone who you would like to invite to give evidence, please let us know as soon as possible so that we can set something up.²⁰⁰

In the committee's follow up meeting, where domestic abuse had been confirmed as the topic for an inquiry, consultation of civil society and statutory organisations was foremost in discussion. The list of possible consultees proposed extended to 396 organisations, of which approximately 20% were statutory, and 10% were women's organisations explicitly working in the area of domestic abuse.²⁰¹ The ensuing open consultation was carried out over a 12 week period beginning in March 2008, and involved more than five site visits by various committee members, 11 oral evidence-gathering sessions in committee, and over 65 written evidence submissions. Concerning these written evidence submissions, Welsh Women's Aid as an umbrella organisation and nine of their smaller affiliates contributed, as did Hafan Cymru, DASU, BAWSO, MEWN, and New Pathways.²⁰² Amongst the women's organisations visited by committee member, Mark Isherwood, were the Domestic Abuse Safety Unit (DASU) in Deeside, Aberconwy Women's Aid in North Wales and Hafan Cymru in Carmarthen.²⁰³ During the oral evidence gathering, of the 15 women's organisations that had responded to the call for written evidence, five were invited in: Hafan Cymru, BAWSO, Welsh Women's Aid, New Pathways and MEWN all attended.²⁰⁴ In fact, representatives from Welsh Women's Aid attended on two occasions.²⁰⁵

In the documentary data analysed there is no explicit methodology presented for the selection of organisations to give oral evidence. When asked in interview about how

²⁰⁰ Transcript, Communities and Culture Committee Meeting, 20.02.2008

²⁰¹ Transcript, Communities and Culture Committee Meeting, 05.03.2008

²⁰² NAW Communities and Culture Committee (2008) Domestic Abuse in Wales, Annexes 2 and 3. Written evidence was also provided by a large range of statutory organisations like local authorities, community safety partnerships and the police, and non-statutory organisations like Amnesty and Relate.

²⁰³ Visits to two other voluntary organisations, the NSPCC and the North Wales Rape and Sexual Abuse Support Centre were made, in addition to a visit to the Flintshire County Council Domestic Abuse Panel, a statutory local authority partnership panel.

²⁰⁴ In total 52 representatives from 27 different bodies gave oral evidence, including WAG Minister Brian Gibbons, representatives of statutory bodies like local authorities and the police and non-statutory bodies like Age Concern, BBC Children in Need and Swansea University.

²⁰⁵ Transcripts, Communities and Culture Committee Meetings 30.04.2008; 19.06.2008

organisations were selected and why, Dai Lloyd AM explained that the Communities and Culture Committee has ‘an agreed list of statutory consultees I suppose you’d say, regardless of topic, and then on top of that, there’s another layer of specific ones for the specific topic.’²⁰⁶ His colleague on the committee, Mark Isherwood AM, clarified the process by which organisations are invited to give written and then additional oral evidence by explaining that:

there is no limit on the number of individuals and organisations we can include on the invitation to provide... written evidence. So normally what would happen on any inquiry would be that the committee clerks would draw up a list of organisations and agencies that are known to have or are likely to have an interest, and then – before that’s put into action there’s a meeting of the committee, usually in private session again... and once the list is agreed collectively, then the clerks are then charged with contacting everyone on the list. And then, when it comes to the oral evidence sessions, we usually always start with a session with the relevant Minister or Deputy Minister, and then bring in a series of expert witnesses, usually selected on the basis of the issues highlighted in the written evidence... if there’s one particular organisation, or coalition of organisations, *who are considered collectively by the committee to have particular knowledge or expertise on a particular key area, then they will be the ones invited to come in and give evidence.*²⁰⁷

As the italicised sections above show, the crucial point here is that those who were called in to give oral evidence fulfilled the role of ‘experts’ for AMs, who themselves may not have had any particular knowledge or experience in the area of domestic abuse. As I have discussed in chapter 4, different organisations had different ways of representing abuse, and in this next section I explore in greater depth what contributions the above-listed women’s organisations made in their written and oral evidence to the committee.

²⁰⁶ Interview, Dai Lloyd AM, Cardiff 22.03.2011

²⁰⁷ Interview, Mark Isherwood AM, Cardiff 07.04.2011

Documentary evidence shows that the format of oral evidence-giving sessions was almost always the same. Committee chair Janice Gregory AM (Welsh Labour) would open the meeting with some standard ‘house-keeping’ points regarding translation etc., and any apologies or substitutions. Gregory would then go on to introduce the evidence session, stating how many sets of presenters there would be and then introducing the first of them. She usually made efforts to help presenters who may have been unfamiliar with proceedings feel comfortable, joking about fellow committee members or assuring presenters that there were no “trick questions”. She would always give a short statement of welcome or thanks, and then go on to invite the presenter to make an opening statement before receiving questions from the committee.²⁰⁸

Over the course of the meetings, many of the committee’s questions varied according to the written evidence that the representatives’ organisations had supplied, but generally a small set of the same questions were asked to all those who attended meetings to give evidence, whatever their organisation. Representatives of most of the women’s organisations invited to give evidence were asked (though not necessarily in this order) to: comment on the WAG’s 2005 strategy; explain how their service provides for minority groups such as those with a disability, gay men, or lesbians; explain how they do monitoring or evaluation work; talk about funding; and finally, each organisation giving evidence was asked to give one recommendation they would like the Committee to take forward and consider for inclusion in the final report. Oral evidence sessions were, then, less open as a consultation exercise than written evidence-gathering had been, and much more targeted and tightly managed.²⁰⁹

One of the first organisations to be invited to present oral evidence in Committee was Welsh Women’s Aid on 30th April 2008. Two of their staff attended – one representing Cardiff Women’s Aid. Most striking in their contribution to the committee meeting was their insistence that a new strategy should be gendered. When asked by a committee member whether she thought the Assembly’s then current strategy, which adopted a

²⁰⁸ Transcripts, Communities and Culture Committee Meetings 30.04.2008; 05.06.2008; 19.06.2008; 03.07.2008

²⁰⁹ Transcripts, Communities and Culture Committee Meetings 30.04.2008; 05.06.2008; 19.06.2008; 03.07.2008

gender neutral approach, was appropriate, the organisation's Chief Executive of Cardiff Welsh Women's Aid Morgan Facknell responded:

I do not think that it is... I would say that we definitely need a gendered approach to domestic violence, if for no other reason than because we need to keep services directed at women and children in domestic abuse specialist [provided by organisations with staff specially trained in domestic abuse].²¹⁰

Facknell's colleague at Welsh Women's Aid, Nesta Lloyd-Jones, supported these comments with statistical evidence in an effort to illustrate to the committee the extent to which domestic abuse is gendered, citing statistics taken from the Wales domestic abuse helpline – a telephone support service which is available to men and women – which show that in the first three months of 2008 only '2% of the victims calling [had] been male'.²¹¹ Other clear and repeated contributions the two women made concerned funding, and broadening the scope of the current strategy.²¹²

That the WAG should develop a coherent violence against women strategy was the one final recommendation that the two women made. Two representatives from Welsh Women's Aid's Children and Young People's Services also attended a later committee meeting on 19th June 2008. Before contributing oral evidence to the inquiry in the meeting, they intervened to 'thank the Welsh Assembly Government for the funding that Welsh Women's Aid received last year to improve services for children and young people experiencing domestic abuse'.²¹³ Their one final recommendation for the Committee was to have 'secure funding for work with children'.²¹⁴

In the following committee meeting on 5th June 2008, MEWN and New Pathways were in attendance. Similar to Welsh Women's Aid, both groups raised funding as a serious issue in terms of re-drafting the WAG's 2005 domestic abuse strategy. MEWN requested that funding streams be addressed, 'as funding women-only organisations

²¹⁰ Transcript, Communities and Culture Committee meeting, 30.04.2008: 13.

²¹¹ Transcript, Communities and Culture Committee meeting, 30.04.2008: 13

²¹² Transcript, Communities and Culture Committee meeting, 30.04.2008: 16-7

²¹³ Transcript, Communities and Culture Committee meeting, 19.06.2008:4

²¹⁴ Transcript, Communities and Culture Committee meeting, 19.06.2008: 10

will not overcome the problem'.²¹⁵ Furthermore, their representatives explained that they sometimes chose not to spend time putting together an application for any available WAG funding for BME services, as they knew that other, larger organisations like BAWSO would also apply, and as such thought of their chances of success as minimal. WAG's funding of other, larger organisations was, then, perceived as 'a big deterrent to our [MEWN's] even applying for the funding in the first place'.²¹⁶ Although the services of both organisations, BAWSO and MEWN, are over-subscribed, only a set amount of money is available from the WAG and it appears the smaller organisation is careful to choose its battles in the face of strong competition. MEWN's representatives also expressed concern that where strong official relationships were established between the WAG and specific organisations, the autonomy of the latter would be threatened. Naz Malik, Chief Executive of the All Wales Ethnic Minority Network (of which MEWN is a member) explained:

Part of the problem is, as charities, we can go one of two ways. One of those is a safe way, because, as you are funded by the public purse, you have to be a good boy and not criticise the hand that feeds you... My argument at the time was that you must understand that when you are funding organisations such as ours, you are funding us because you want to hear what we have to say and what the people we represent have to say... Unless we can do that in an open and honest way, without fear of losing our funding, what is the point of that funding? There is a danger of organisations that are in the charitable sector becoming so much a part of Government that they stop doing the work that they are there to do.²¹⁷

The Committee's response to these comments was to ask Malik if he was calling for the funding that goes to BAWSO to be decreased, diversified and re-directed to MEWN – to which he immediately countered that he was asking for increased funding all round so that more providers had core-funded services. Here we see how budgetary constraints have shaped Assembly actors' responses; there is of course

²¹⁵ Transcript, Communities and Culture Committee meeting, 05.06.2008: 5

²¹⁶ Transcript, Communities and Culture Committee meeting, 05.06.2008: 15

²¹⁷ Transcript, Communities and Culture Committee meeting, 05.06.2008: 16-17

only so much money in the pot in Wales, in spite of the fact that many services are under-funded.

The representative for New Pathways was Libby Jones, the organisation's Director. In her oral evidence contribution, she also raised funding issues as a primary concern, explaining how the organisation has to review its funding every year, and the juggling that takes place in terms of winning funding from grant-awarding bodies. When asked what her one main recommendation she would like to see in the final report was, Jones replied: '[w]e definitely need financial support from the statutory bodies... we need the Welsh Assembly Government to put its shoulder to the door and say, "You have to interact with this."' ²¹⁸

In the next committee meeting where oral evidence was taken, five representatives from BAWSO were in attendance. Gregory asked the standard questions of the representatives, in spite of attempts by the latter to take more control of the meeting and provide their recommendations without having to answer the Committee's questions. ²¹⁹ Though the function of the consultation was said to be to gather expert evidence from selected organisations, evidently the Committee had particular ways of doing this and particular questions they wanted answering that were not open to negotiation.

During the meeting, BAWSO representatives repeatedly explained to the committee members the difficulty of measuring outcomes in their field when questioned on monitoring, evaluation and measurement. When asked by Paul Davies AM whether she thought 'all the relevant outcomes are measurable?', ²²⁰ Nyoni responded:

Not all outcomes are measurable. Some are intangible: sometimes you look at the face of a woman and she is smiling and then you say, 'That is it; we have done it'. However, the measurable outcomes are agreed at the beginning of the year with the Welsh Assembly Government, because it is the core funder. We agree early on which

²¹⁸ Transcript, Communities and Culture Committee meeting, 05.06.2008: 26

²¹⁹ Transcript, Communities and Culture Committee meeting, 19.06.2008: 17

²²⁰ Transcript, Communities and Culture Committee meeting, 19.06.2008: 24

outcomes we need to measure and which outcomes the Government is looking for. There are many outcomes we cannot measure, but if you were to come into the refuge, get a feel for how it is run, see children playing and running around, it would provide you with a measure of the positive service that is being provided.²²¹

This line of questioning, relating to the measurability of outcomes and the timescales women's organisations work to, was repeated throughout the inquiry. Committee members were looking for an indication of not just what organisations did at the time and what their thoughts or requirements were in terms of future action, but also what the effects or outcomes of their work were and how they could be quantified or shown. This can be read as the Committee looking for ways of establishing transparency and accountability. In spite of their above indication that not everything they do is measurable, BAWSO representatives later played to the concerns of the committee members in suggesting that the WAG should 'make the monitoring and evaluation of funding and services a requirement for support providers'.²²² The rationale behind this, Nyoni explained, was accountability-based; BAWSO felt that any funding from government or local authorities should go 'where it will be used effectively, so it is about evidencing need and being effective and efficient'.²²³

One of the final women's organisations to give oral evidence to the Communities and Culture Committee was Hafan Cymru (which at that time was still known as Cymdeithas Tai Hafan). The organisation's Chief Executive, Cathy Davies, attended a committee meeting on 3rd July 2008. Similar to the other organisations that had previously attended, Davies was asked questions specifically on the paper that Hafan had provided, but also the standard questions detailed on page 158. Regarding the evaluation of projects, Davies was asked by Gregory whether one of Hafan's schools programmes was 'being evaluated, and, if so, what are the outcomes?'²²⁴ Davies' response to this was: 'It is not being evaluated at the moment, primarily because we do not have the resources to do it'.²²⁵ Adequate funding of work in schools was her

²²¹ Transcript, Communities and Culture Committee meeting, 19.06.2008: 24

²²² Transcript, Communities and Culture Committee meeting, 19.06.2008: 26

²²³ Transcript, Communities and Culture Committee meeting, 19.06.2008: 26-27

²²⁴ Transcript, Communities and Culture Committee meeting, 03.07.2008: 35

²²⁵ Transcript, Communities and Culture Committee meeting, 03.07.2008: 35

main recommendation for the committee. However, she also raised concerns over the way in which local authorities had become unwilling to commission single-sex service provision in the case of temporary supported housing, and the way in which resources were being heavily targeted at organisations working within the criminal justice system. In her view this was to the detriment of those organisations working outside it, since only 25% of domestic abuse cases are pursued through the criminal justice system.

The above covers those organisations that were invited to give oral evidence to the committee, although there were 10 organisations that submitted written evidence that were not invited.²²⁶ Of these organisations, nine were smaller Women's Aid groups, whilst the tenth was the DASU, formerly a Women's Aid organisation that had broken away and re-branded in 2007. Though DASU representatives were not invited to give oral evidence to the Communities and Culture Committee, the organisation did receive a site visit from committee member Mark Isherwood, during which they were able to raise concerns. Interview participants explained how they often felt isolated in north Wales, and so viewed the visit positively, though were disappointed this arrangement was not more sustainable.²²⁷

The rules which functioned to include particular groups in the later stages of consultation whilst excluding others were almost exclusively informal and based on normative expectations for expertise and familiarity with culturally dominant, masculinised ways of working. As a broad basis, Mark Isherwood AM explained that those organisations invited to give oral evidence would 'usually [have been] selected on the basis of the issues highlighted in the written evidence.'²²⁸ His colleague on the committee, Dai Lloyd, clarified this with a suggestion that selection of particular organisations also relied upon who was best known and most recognised:

basically, it is on the basis of the written evidence. Obviously, you know, again depending on the topic, but this sort of topic you would expect us to have oral evidence from Women's Aid, you know, so we did. We couldn't very well not have Women's Aid. So those sort

²²⁶ Communities and Culture Committee Report 'Domestic Abuse in Wales', 2008

²²⁷ Interview DASU, 14.06.2011

²²⁸ Interview, Mark Isherwood AM, Cardiff 07.04.2011

of very prominent organisations in the field, so I think it's fair to say that they would've had an oral presentation regardless of their written evidence, okay?²²⁹

The other major characteristic that was highlighted in terms of which particular organisations were selected to give oral evidence above others, was expertise:

when it comes to the oral evidence sessions, we usually always start with a session with the relevant Minister or Deputy Minister, and then bring in a series of expert witnesses... if there's one particular organisation, or coalition of organisations, who are considered collectively by the committee to have particular *knowledge or expertise* on a particular key area then they will be the ones invited to come in and give evidence.²³⁰

This requirement for expert knowledge, however, is not codified in the formal rules which structure consultation, but rather is an informal expectation which makes sense to AMs.²³¹ Of course, it is not surprising that the NAW would be looking to consult organisations with an experience in and an understanding of domestic abuse, and I am not aiming here to suggest that this is any way negative. That there is no formal codification of the attributes an organisation is required to display to be invited to an oral evidence session indicates that AMs perceive the appropriate criterion to be expertise. This in turn tells us something about the wider cognitive templates that shape those perceptions of appropriate behaviour. So although the NAW's statute makes formal commitments to inclusion, the result of this seemingly 'common sense', normative expectation for expertise, shaped by informal norms, was that AMs' selected only a specific sub-set of women's organisations to participate in consultations.

²²⁹ Interview, Dai Lloyd AM, Cardiff 22.03.2011

²³⁰ Interview, Mark Isherwood AM, Cardiff 07.04.2011

²³¹ Of course, it is entirely unsurprising that the NAW would be looking to consult organisations with an understanding of domestic abuse, and I am not aiming here to suggest that this is any way negative. However, the fact that there is no formal codification of what characteristics qualify as expertise allows considerable space in AMs' interpretations.

In many senses the women's organisations that were invited to contribute oral evidence to the committee inquiry faced similar kinds of questions and raised similar kinds of issues, especially in terms of funding, however, there were important differences in the way they framed their responses, the language they used and the presentations they made. This had implications regarding the extent to which their concerns resonated with committee members, who approached the consultation process with a specific set of role expectations relating to those organisations participating, and a specific set of ideas regarding how proceedings should go on. In the second half of this chapter I analyse these expectations and also how they are gendered in greater detail, but here we can say that they shaped women's organisations opportunities for action, constraining some whilst enabling others.

5.3.1.3. Consultation on the 2010 strategy

The report produced by the Communities and Culture Committee in December 2008 made a series of recommendations to the WAG in terms of reviewing and developing the 2005 domestic abuse strategy.²³² Generally speaking, these were received well by the WAG who then organised a consultation in order to review and update their original strategy. In the plenary session which took place on 11th February 2009, Brian Gibbons AM (Welsh Labour), then Minister for Social Justice and Local Government responded to the 28 recommendations made in the Committee's report by accepting 'almost all'²³³ of them. However, he noted that '[s]ome of the recommendations have an unrealistic timescale for implementation'.²³⁴ This comment related specifically to one of the major recommendations that the WAG would not commit to, which was a review of 'all funding arrangements potentially available to statutory, voluntary and other providers of services for people affected by domestic abuse, including Supporting People, by May 2009.'²³⁵

²³² National Assembly for Wales, Communities and Culture Committee (2009) Domestic Abuse in Wales

²³³ The Record transcript, 11.02.2009: 56

²³⁴ The Record transcript, 11.02.2009: 57

²³⁵ National Assembly for Wales, Communities and Culture Committee (2009) Domestic Abuse in Wales, Recommendation 19: 41

On the impetus of the Committee's report, a 'Strategic Action Plan'²³⁶ was developed by the WAG. In March 2009, the Strategic Action plan was shown to the Working Group, who commented on the potential difficulties of creating a national information strategy to help with awareness raising given the fact that the Assembly's budget to deal with domestic abuse would not be increasing over the period 2009-2010.²³⁷ Some months later, in June 2009, the Strategic Action Plan was released as an open consultation document on the WAG and NAW websites, with the standard 12 week period given to submit responses.²³⁸ In all, the WAG received 59 written responses to the consultation, of which eight came from women's organisations working in the area of domestic abuse, including Hafan, Welsh Women's Aid, Torfaen Women's Aid, Brecknok Women's Aid, Neath Women's Aid, New Pathways, End Violence Against Women and BAWSO. Other women's organisations, like the Welsh Women's National Commission, Chwarae Teg and the National Federation of Women's Institutes also responded, as did seven local authority Community Safety partnerships, and several criminal justice bodies like the Children and Families Court Advisory and Support Service (CAFCASS) Cymru and ACPO Cymru.²³⁹ Four specific questions were asked of those who submitted written responses to the consultation:

1. Which of these issues do you think is particularly relevant to your area?
2. Which actions within the plan are achievable?
3. What do you feel are the barriers to eliminating violence against women?
4. Do you see any gaps in the action plan and what might be done to fill these gaps?

As well as taking written evidence, the WAG's consultation period involved three day-long 'stakeholder events', held in Newport, south Wales, Carmarthen, mid-Wales, and Mold, north Wales. The WAG's report on these events states that over the course of these events, 98 'frontline professionals' attended and engaged in discussion on the

²³⁶ Welsh Assembly Government (2009) Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document.

²³⁷ Minutes 18.03.2009, Item 3, 7, Working Group on Domestic Abuse

²³⁸ Welsh Assembly Government (2009) Violence Against Women Consultation Responses Report

²³⁹ Welsh Assembly Government (2009) Violence Against Women Consultation Responses Report

'strengths, weaknesses and any gaps in the action plan'.²⁴⁰ Other attendees at these events included representatives of government bodies, local authorities, domestic abuse partnership bodies and criminal justice bodies. The 'Violence Against Women Action Group' a coalition of organisations in Wales including BAWSO, Welsh Women's Aid, Hafan and New Pathways was also consulted as a focus group in September 2009.²⁴¹ Organisations selected to participate in these events, then, had greater opportunity to act in policy formulation and to interact with policymakers than those groups which fulfilled the more passive role of 'consultee' by responding to the call for written evidence. Most of the stakeholder events were open invite, but the focus group with domestic abuse organisations was not. Once again, the selection of these organisations as focus group participants was not according to the enactment of a transparent set of formal criteria, but rather the result of the enactment of informal rules.

There are no full written records of the discussions that took place at these 'stakeholder events' available – instead there is a short report which was produced by the WAG, which details some of the concerns raised and comments made by participating organisations throughout the whole consultation process. There are, however official records of the written consultation responses submitted by various organisations in 2009, which were collated by two staff specially seconded to the WAG to help prepare and draft the strategy.²⁴² Both staff had criminal justice backgrounds, with one having previously worked in the police force, and the other for the CPS and Cardiff Women's Safety Unit prior to being seconded. It is these written responses that I turn to in the next part of the chapter in order to outline the kinds of claims Welsh women's organisations made in their responses, and outline which groups saw their proposals put into the summary of consultation responses that the WAG produced.

²⁴⁰ Welsh Assembly Government (2009) Violence Against Women Consultation Responses Report

²⁴¹ Other members of the action group include Amnesty, Relate, NUS Wales, the WI Wales, Llamau (a homeless charity), The Henna Foundation (a Muslim women's and children's charity), The Survivors Trust (a collection of smaller organisations in mid and north Wales), and Safer Wales (a collection of mainly Cardiff-based charities including the Cardiff Women's Safety Unit); <http://walesvawgroup.com/> [Accessed 14th April 2011]

²⁴² See BAWSO; Brecknok Women's Aid; End Violence Against Women; Gwent Police Authority; Hafan Cymru; Mankind; Neath Women's Aid; New Pathways; Torfaen Women's Aid; and Welsh Women's Aid (2009) Responses to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document; Interview, secondees to WAG, 11.04.2011

Again, just as during the 2008 Communities and Culture Committee inquiry, those groups that were able to adopt the language of government and frame their responses in ways that resonated with Ministers' informal role expectations saw their proposals included, whilst those who could not, did not.

Not all organisations chose to respond to the questions listed above directly. BAWSO supplied a response to the WAG in August 2009 and whilst they covered most of the above, they arranged their submission very differently, providing detailed comments and recommendations on four out of five sections of the consultation document in a 14-page submission. Chief amongst their recommendations was the concern that the consultation document showed an insufficient understanding of the gendered nature of domestic abuse and violence against women, and that the funding commitments made were insufficient. They stated that 'the action plan does not address issues of gender equality and sexist stereotyping that lie at the heart of gendered violence', and made clear to the WAG that as an organisation they 'believe that domestic abuse originates from the same gender inequalities, and has the same detrimental consequences for women, as other forms of gendered violence'.²⁴³ With regard to funding, BAWSO compared the previous actions of the WAG under the 2005 strategy with those proposed in the consultation document unfavourably, noting that:

to ensure the success of the All Wales Domestic Abuse Strategy [2005 Strategy], WAG doubled its funding in its domestic abuse budget. We feel that WAG should make the same commitment... in order to deliver its Violence Against Women Strategy. Without the provision of additional resources the plan will remain a pledge rather than a step towards eliminating violence against women.²⁴⁴

The organisation also listed concerns over the lack of target-setting in the section of the consultation document which related to community safety partnerships and their role in combating domestic abuse and violence against women.

²⁴³ BAWSO (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁴⁴ BAWSO (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

All of the smaller Women's Aid organisations that submitted a response to the consultation – Neath, Torfaen and Brecknok – produced documents of a similar length (between five and nine pages) and very similar content, with Neath and Torfaen sending responses in August and Brecknok in September. The groups stated their support for the recommendations and strategies included in the separate Welsh Women's Aid consultation response, in the main listing concerns on the lack of a firm, gendered definition of violence against women and recommending that the WAG adopt the UN definition, and registering their concern with the perceived 'over emphasis in the Action Plan/ updated Strategy on criminal justice initiatives'.²⁴⁵ Neath Women's Aid went as far as to recommend that the WAG should reconsider its distribution of funding, and suggest that 'resources poured into criminal justice initiatives would be better spent on preventative measures, i.e. education and awareness and support services'.²⁴⁶ Torfaen Women's Aid reiterated this, explaining their concern over the fact that 'the aims stated in the action plan consultation document are focused towards criminal justice solutions to Domestic Abuse and lack focus on the service and support needs of victims'.²⁴⁷ All three groups raised the same concerns as BAWSO concerning the lack of gender-awareness in the WAG's consultation document, and explained this as the result of a misinterpretation of the NAW and WAG's Gender Equality Duty which had been picked up on by local authorities. Brecknok Women's Aid explained how they felt that the document displayed:

little understanding of substantive equality i.e. that 'equality' does not mean 'same treatment', that equality of outcome is more important than

²⁴⁵ Neath Women's Aid (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁴⁶ Neath Women's Aid (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁴⁷ Torfaen Women's Aid (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

equality of opportunity, and that treating differentially positioned groups (men and women) the same will only perpetuate inequality.²⁴⁸

Welsh Women's Aid's 55-page submission echoed these concerns and added many more. The document offered a summary of the organisation's concerns about the proposed strategy, along with a detailed analysis of all of the strategy's five sections and recommendations and suggestions for improvement. Both Neath Women's Aid and Welsh Women's Aid's responses began by acknowledging the support that the WAG had provided for domestic abuse services over the previous years. Again, similar to smaller Women's Aid groups' responses, Welsh Women's Aid also highlighted their concern over the proposed strategy's heavy focus on criminal justice solutions, and contrasted this with the 2005 strategy's social welfare and social justice approach.

Like every other organisation detailed above, they also expressed disappointment with the decision to continue with the gender neutral approach to domestic abuse and stated that this contradicted evidence on the ground in Wales at that time, listing statistics from the period April 2008-March 2009 which showed that only 2% of calls made to the Wales Domestic Abuse Helpline were made by men.²⁴⁹ Like Neath, Brecknok and Torfaen, Welsh Women's Aid suggested that the WAG adopt the UN definition of violence against women, which recognises the phenomenon as something that happens to a women 'because she is a woman'.²⁵⁰ In the same way as smaller Women's Aid groups had done, they tied this absence of gendering to a 'gross mis-interpretation' of the Gender Equality Duty across all statutory levels, Government, NAW and local authority, which had led to a situation where 'some women-only service providers have been under pressure to open their doors to men'.²⁵¹ This supports the evidence discussed in the previous chapter, which showed how organisations like

²⁴⁸ Brecknok Women's Aid (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁴⁹ Welsh Women's Aid (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁵⁰ Welsh Women's Aid (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁵¹ Welsh Women's Aid (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

Hafan, New Pathways and the DASU had all changed their organisations' constitutions in order to provide services for male victims of domestic abuse, and also the analysis there of the discursive structures in the NAW which shape AMs' interpretations of equality as sameness.

Welsh Women's Aid also made very clear in their consultation submission that they did not feel that the proposed strategy on domestic abuse and violence against women was, in fact, a strategic and integrated one. In terms of the lack of integration shown, they cited concerns over the idea of placing responsibility for action on abuse and violence within one WAG Department, which they felt would isolate the issue. End Violence Against Women, who submitted their consultation response in August 2009 also picked up on this point, and in their eight-page evidence submission they listed 'concerns that the Strategic Action Plan as drafted does not represent a strategic approach to all forms of violence against women as it purports to do.'²⁵² This, they felt, was a consequence of the strategy document's lack of long term vision and the absence of a long term goal to eliminate violence against women.

Small, Merthyr Tydfil-based New Pathways also expressed concern that the consultation document lacked a strategic overview in a response sent to the WAG in late August 2009. However, the organisation's response was very different to those listed above. It consisted of a short email which used a case study example of a woman who had been a service user at New Pathways to highlight their unease at the fact that the strategy document did not offer anything on dealing with the long-term effects of abuse. Libby Jones, the organisation's Director also stated her concern that the proposal did not offer an integrated strategy on violence against women and domestic abuse; she felt instead that the 'violence against women agenda, and rape and sexual abuse in particular have been "bolted on" in name only to the [pre-existing] Domestic Abuse Strategy', in that sense, she did 'not feel that it demonstrate[d] anything new'.²⁵³

²⁵² EAW (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁵³ New Pathways (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

Like New Pathways, Hafan Cymru brought in the experiences and opinions of its service users in their written consultation submission in response to the WAG's draft Strategic Action Plan – however, theirs was a 33 page document, providing detailed comments on each of its sections. They put together their submission through conducting focus groups with their service users. As they had done in 2008 during the Communities and Culture Committee's inquiry, they supported the gender neutral approach of the proposed strategy. However, they suggested that the plan should note and address those areas which are women-specific and highlighted that the majority of abuse is experienced by women and girls as opposed to men. As Welsh Women's Aid and their smaller branches also did, Hafan suggested that the WAG adopt the UN definition of violence against women; they also recommended that the strategy should consist of two separate elements, one gendered and relating to violence against women, and the other gender neutral and relating to domestic abuse.

Again, as other Welsh women's organisations did, they raised the issue of misunderstanding and misapplication of Wales' statutory equality duty, and commended the proposal to involve the Equality and Human Rights Commission to make sure that local authorities and commissioning services were clear on their obligations in relation to the duty. And, like the Women's Aid groups, Hafan was extremely critical of the section in the draft strategy entitled 'Improving the response of criminal justice agencies'.²⁵⁴ Their submission pointed out clearly how problematic service users found the proposed measures: 'this, almost more than the other key objectives of the plan was the area which raised the most vociferous negative response from our service users.'²⁵⁵ Hafan's position had not changed since the contribution the organisation had made to the earlier 2008 consultation: namely, that there was too great a focus on criminal justice issues in the proposed Strategy. As well as highlighting this, their consultation submission urged the WAG 'to adopt further action relating to urgent need to ensure consistent, effective and regular awareness

²⁵⁴ Welsh Assembly Government (2009) Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document.

²⁵⁵ Hafan Cymru (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

training on domestic abuse is delivered to all agencies involved in the criminal justice system'.²⁵⁶

In their summary of the written responses they received, the WAG made a list of 15 key themes that they perceived to be the most significant when all responses were considered together. In spite of the fact that every women's organisation to respond expressed concern that the proposed strategy did not provide a definition of violence against women or domestic abuse, this was not listed as a key theme by the WAG. Furthermore, although BAWSO and all the smaller Women's Aid organisations responding expressed concern over the continuing gender neutral representation of domestic abuse, the WAG did not list this as a key theme; in fact, the third most important theme the WAG listed was 'male victims'. However, the consultation summary did reflect concerns raised by BAWSO and Hafan that the strategy should contain measurable targets and outcomes.²⁵⁷

What these findings tell us in terms of inclusion and exclusion of organisations is not straightforward. There are clear examples of larger organisations that have adopted the language of policymakers seeing their proposals included, such as BAWSO's suggestions regarding target-setting and monitoring of progress. These can be set against clear examples of some smaller organisations seeing their proposals excluded; as with the WAG's refusal to recognise proposals on adopting the UN definition of violence against women. The clearest finding overall is that the claims of other participants in consultation aside from women's organisations appeared to have greater purchase. Three organisations, including two voluntary (the Dyn Project and the ManKind Initiative)²⁵⁸ and one statutory (Gwent Police Authority),²⁵⁹ responded to the consultation document suggesting that the WAG needed to concentrate further

²⁵⁶ Hafan Cymru (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁵⁷ Welsh Assembly Government (2009) Violence Against Women Consultation Responses Report

²⁵⁸ ManKind initiative is a UK-wide voluntary organisation offering support to male victims of domestic abuse.

²⁵⁹ Gwent Police Authority responded to the consultation on behalf of the Welsh Police Forces.

efforts on male victims of abuse who were perceived to be treated as 'second class victims'²⁶⁰ in need of 'greater provision'.²⁶¹

When asked about the consultation in interview, Policy and Campaigns Officer for Welsh Women's Aid Hannah Austin explained her view that the WAG related better to the contributions of statutory bodies like the police because there was an overlap in their ultimate aims – increasing conviction rates and showing measurable results – and a greater mutual respect:

I don't know, the women's sector isn't as respected as the police, we're kind of soft outcomes, actually improving people's lives, and a lot of the time victims, their ultimate number one priority isn't increasing conviction rates, it's about having a safe home and making sure the kids are okay. I don't think the women's sector is seen as – you know, we try to be a kind of critical friend, but we're still seen as a bit of a pain in the arse, I think.²⁶²

As in 2008, the way women's organisations' responses to the consultation were framed and the language they used had significant implications as to whether their claims resonated with the WAG. Those that saw some or most of their recommendations make it through to the WAG's consultation response report tended to mimic the style and structure of statutory organisations like the police or health care authorities in pushing for particular, measurable targets.²⁶³ I now move on to discuss policy formulation in Tuscany.

5.3.2. Policy formulation in Tuscany

The formal rules which structure consultation in Tuscany are looser than in Wales, and as we will see in the sections that follow, they have done little to challenge established

²⁶⁰ ManKind (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁶¹ Gwent Police Authority (2009) Response to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

²⁶² Interview, Hannah Austin, Welsh Women's Aid, Cardiff 25.07.2011

²⁶³ Welsh Assembly Government (2009) Violence Against Women Consultation Responses Report

ways of working and informal, normative expectations (informal rules). Documentary and interview evidence shows that during the development of Ir n.59 2007, consultation with women's organisations – in addition to other statutory and non-statutory stakeholders – in the region did occur. In that sense, we can point to the enactment of formal rules. However, it is also clear that the formal rules outlined in chapter 2 were by no means systematically enacted: factors, including the selection of organisations called to participate in consultation processes, at which stages and with what relative influence, were largely guided by informal rules. Uncomfortable interactions between the new and the old, the formal and the informal, shaped the participation of women's organisations and their influence in policy formulation and adoption.

5.3.2.1. Consultation on Ir n.59 2007

Documentary and interview evidence indicates that the formal consultation which took place on the proposed Ir n.59 2007 was relatively small-scale, with some similarities to processes in Wales but also some differences. In terms of parallels with the Welsh case, chiefly we can point to the kinds of actors invited to participate in consultation processes, and the selection of a specific sub-set of women's organisations as representatives of the sector. However, the breadth and depth of consultation carried out in Wales for the 2008 Inquiry and 2010 Strategy, where there were multiple consultation events, set it apart from Tuscany where formal consultation was minimal.²⁶⁴

Just as in Wales during the development of the 2005 strategy, in Tuscany there was no open call for participants for consultation over the Ir n.59 2007. Instead representatives of selected organisations – statutory and voluntary – were invited to attend a series of meetings hosted by the Consiglio's Health and Social Policy Committee (Petraglia and Celesti's committee) all taking place on the same day, 20th September 2007. The event itself was held at the Consiglio building in Florence, and was split into four meeting sessions, ranging from 15 minutes to around one and a half hours in length, depending upon the number of consultees present. The longer sessions were for larger groups of consultees, like the six representatives of local

²⁶⁴ Interviews, Alessia Petraglia, Florence 05.06.2010; Federico Gelli, Pisa 14.07.2010; Transcripts, Health and Social Policy Committee Meetings 1, 2, 3, & 4, 20.09.2007

health authorities and the eight representatives of the six regional women's organisations in attendance, and the shorter sessions for single consultees including the President of the CRPO, Chiara Grassi.²⁶⁵

Invitations were sent out to selected organisations just three weeks before the consultation was due to take place, on 31st August 2007.²⁶⁶ There was no call for written evidence submissions, which meant that those organisations that were invited only had one way of participating, which was to attend at the time and date specified. As I have discussed in the earlier part of this chapter, this kind of short-term timetable tends to act as a significant material constraint for many women's organisations, and especially for those smaller ones with few staff members, as they struggle to give representatives time off from their everyday duties. So far as securing invites for regional women's organisations is concerned, there is evidence to suggest Petraglia and her colleagues were instrumental. Two weeks before the consultation was due to take place, her secretary sent personal emails to several groups in the region reminding them of the event.²⁶⁷ In total, seven women's organisations were invited to participate: Florence-based Artemisia, Pisa-based Casa della Donna, Prato-based La Nara, Montecatini-based Liberetutte, Florence-based Comitato Perla, Grosseto-based Olympia de Gouges and Arezzo-based Pronto Donna. Ten further non-statutory organisations were invited, as well as over 50 statutory organisations, including the CRPO. Of all those invited, a total of 17 representatives from 14 organisations actually took part in the oral consultation.²⁶⁸

In terms of which organisations were invited to participate and why, several factors influenced selection processes. As in Wales, it was obligatory to invite statutory organisations like the police, local health authorities and the CRPO (Statuto Regionale della Toscana 2004: Art. 55). But none of the documentary evidence detailed criteria on how the non-statutory, women's organisations that were asked to attend were selected. I asked interview participants from the Consiglio to clarify this, and when asked Federico Gelli, who was at the time the Minister for Equality of Opportunity, explained that AMs had deliberately

²⁶⁵ Transcripts, Health and Social Policy Committee Meetings 1, 2, 3, & 4, 20.09.2007

²⁶⁶ Correspondence, letter 31.08.2007

²⁶⁷ Correspondence, email 05.09.2007

²⁶⁸ Transcripts, Health and Social Policy Committee Meetings 1, 2, 3, & 4, 20.09.2007

invited... representatives of *the most important, the most expert organisations* in the Tuscan region. And there aren't too many of those, Artemisia, La Nara in Prato, organizations like that, *the most expert that work in this area*.²⁶⁹

As the italicised sections above show, just as had been the case in Wales throughout the development of both the 2005 and 2010 strategies and the 2008 inquiry, AMs' informal, normative expectations for 'expertise' strongly influenced which organisations were invited to give oral evidence in consultation. Although nowhere was a requirement for the slippery concept of 'expertise' set out in the formal rules structuring consultation, for a women's organisation to be included in the process it was nonetheless perceived as a necessary and appropriate characteristic.

According to the documentary evidence, in terms of how the actual consultation process worked on the 20th September 2007, the set-up for each of the four sessions was largely the same: AMs asked few (if any) questions of participants, who instead were left to deliver a statement on the legislative proposal. Dialogue and discussion between AMs and consultees, or amongst consultees themselves was very rare; rather, the Chair would open the meeting with a basic greeting, and then participants would take it in turns to offer their opinions. This was the case in each session. In the first session, where representatives from local health authorities in the region were in attendance, the Chair, Roggiolani AM, only spoke to greet the participants in opening the proceedings. No one was asked a direct question on the proposal by Roggiolani, and each consultee took their turn to make a statement. The session was then closed by Celesti, the only other AM present.

Oral consultation sessions therefore offered mixed opportunities for participants to act. On the one hand, the lack of close session-management and targeted questioning gave consultees the freedom to express their views on any or every part of the legislative proposal. However, on the other, no introductions were made, no efforts to put the participants at ease feature in consultation transcripts, and there was no clear

²⁶⁹ Interview, Federico Gelli, Pisa 14.07.2010

statement made to consultees regarding what the purpose of the meeting was. Participants were not, therefore, given any real lead as to how their concerns might best be expressed – in other words they had very few clues on what the formal or informal rules of the game were.

Unlike the oral consultation sessions that had taken place in Wales for the 2008 Inquiry, in the Consiglio not all of the Health and Social Policy committee members were present for each session²⁷⁰. In fact, only three of a possible eight committee members attended the meetings: Petraglia, Celesti and Roggiolani (then President of the committee). Even then, only one of the three, Celesti, was present at all four of the meetings. Given the inconsistencies in attendance, both Roggiolani and Celesti shared the role of chair – Roggiolani for one session and Anna Maria Celesti for the remaining three. There is nothing in the Consiglio's formal rules which set the terms for external consultation obliging the relevant committee to use the same Chair for each consultation, nor to suggest that the Chair must be the President of the Committee. However, the rules do place a good deal of responsibility for organising consultation processes and liaising with consultees in the hands of the President: whoever fulfils that role is obliged to correspond to any 'requests for clarification' (Regolamento Interno dell'Assemblea Legislativa Regionale Art. 48, 2010) from consultees, and for sending out invitations to attend consultations. It is, therefore, significant that Roggiolani relinquished chairing responsibilities, in the same way that the other AMs on the committee did not participate in any of the consultation sessions. When discussed in interview with Petraglia, this lack of engagement from other actors – especially male AMs – was explained as symptomatic of a general lack of interest in the progress and content of the legislative proposal. As she explained, 'the law was made by women'.²⁷¹ Generally speaking, when anything considered a women's issue was discussed by AMs in a plenary session or committee meeting 'it [was] always the women that make interventions'.²⁷²

The first consultee to participate in the day with a direct claim to represent women's interests was the President of the CRPO, Chiara Grassi. She attended the second

²⁷⁰ Transcripts, Health and Social Policy Committee Meetings 1, 2, 3, & 4, 20.09.2007

²⁷¹ Interview, Alessia Petraglia, Florence 05.06.2010.

²⁷² Interview, Alessia Petraglia, Florence 05.06.2010.

meeting of the day, and was present to give the CRPO's opinion on the legislative proposal. The session was again chaired by Celesti, who did not ask any questions of Grassi or intervene at any point during the meeting. As other participants in the previous session (consultation of local health authority representatives) had done, Grassi explained that the CRPO supported the Consiglio's efforts to legislate on the issue of violence against women and domestic abuse. However, she expressed concerns that 'violence in homosexual relationships remain[ed] outside the remit of the law',²⁷³ and questioned the financial provisions made in the proposal. She also stressed that the legislation should talk about violence (*le violenze*) as a plural noun as opposed to a singular noun (*la violenza*) in order to show recognition of the multiple types of violence, 'psychological, sexual, economic and physical',²⁷⁴ that women face, and that children and young people should be covered by the proposed law. At all times, she referred to violence as a gendered phenomenon, drawing on a more human rights-based discourse in her representation of the problem. As was the case with other consultees, once Grassi had concluded her statement, Celesti brought proceedings to a close by thanking her for her participation and assuring her the Health and Social Policy Committee would take the suggestions of the CRPO into account.

The CRPO later provided an official, written opinion to the Consiglio as a whole on the legislative proposal in its statutory capacity as an auxiliary body. This opinion was sent to the Consiglio several weeks after the oral consultation, in October 2007. It was drawn up during the October meeting of the CRPO, in which members were able to discuss the legislative proposal. Minutes from the meeting show that the concerns expressed were very similar to those Grassi had explained in the earlier oral consultation. Members commented on 'the vagueness of the terminology' and asked for 'the law to make clear and explicit which subjects it was intended to protect'.²⁷⁵ In the written statement issued after the meeting, the CRPO went on to point to the confused way in which the legislative proposal (known as legislative proposal n.181, 2007) dealt with gender:

²⁷³ Transcript, Health and Social Policy Committee Meeting 2, 20.09.2007: 1

²⁷⁴ Transcript, Health and Social Policy Committee Meeting 2, 20.09.2007: 2

²⁷⁵ Minutes, CRPO meeting, 01.10.2007

the examination of legislative proposal n.181 had the goal of making one particular antinomy clear, between the title [of the proposed law] “Law against gender violence”, which refers to a type of violence traditionally perpetrated against women, and the text of [of the proposed law], which, by contrast, does not mention women once as beneficiaries of the provisions made, except as domestic abuse organisation staff.²⁷⁶

The CRPO, then, consistently represented domestic as a gendered issue.

The other groups directly representing women’s interests to be formally consulted met AMs in the final consultation session of the day. Proceedings were chaired by Alessia Petraglia, with Celesti also present. Eight representatives of six regional women’s organisations (all of those listed on page 176 with the exception of Olympia di Gouges) attended the meeting. The transcript of the meeting available from the on site archive at the Consiglio building in Florence was incomplete, so I cannot assess the recorded contributions of each organisation without using some interview data to fill any gaps. It is important for me to point out, therefore, that this evidence relies upon interview participants’ self-reported claims of what happened during the consultation process.²⁷⁷ What is clear from the incomplete transcript is that the meeting started in the same way as the others had: no questions from the Chair or any discussion on the aims of the consultation, but rather a short greeting and an invitation for the women present to take it in turns to give opinions on the legislative proposal.

The first consultee to speak was Nicoletta Bacci, President of Artemisia. Her intervention highlighted two issues: first, that the legislation should be properly financed, and second, that there was already a great deal of work being done by women’s organisations in the region that the Consiglio should note.

Next to speak was the representative from Casa della Donna di Pisa, who, like Bacci from Artemisia, expressed concerns over whether funding would be made available to implement the legislation. She also expressed support for the main aim of the

²⁷⁶ Osservazioni approvate dalla Commissione regionale pari opportunità, 01.10.2007

²⁷⁷ Interviews, Alessia Petraglia, Florence 05.05.2010; Donella Baronti, Montecatini Terme, 20.07.2010

proposal, which was to create a network of women's organisations across Tuscany all working to combat domestic abuse and violence against women. She was, however, quick to point out that this work was already being done by women's organisations independently of the Consiglio, affirming the autonomy of various groups from regional government.

So, with regard to the proposal that we're here to examine today, we're united as a group when we say we agree with it, because it acknowledges... and reflects a bit the work we have been doing, and continue to do, is.²⁷⁸

She went on to suggest that proposed legislation had the potential to really benefit service users, explaining that if organisations in the region were better networked 'we can work cooperatively to guarantee anonymity and safety for women, women or children who are at risk'.²⁷⁹

These are the only two representatives of six women's organisations whose comments on the legislative proposal are registered in the official transcript, but it is important to note that both flag similar issues around the long term work that their organisations had been doing with women in the region, suggesting some scepticism around the Consiglio's interest in taking action at this specific time. Data from interviews with other consultees indicates that they expressed similar sentiments: support for the development of legislation on domestic abuse and violence against women, but at the same time a desire to highlight the autonomous, long-term work of women's organisations in the region. Representatives from Montecatini-based Liberetutte explained that they welcomed the passage of legislation, but at the same time expressed wariness regarding AMs' motives:

institutions have a use, but for so many years, from the seventies, really, domestic abuse organisations have worked by themselves, this is a problem, then by way of understanding that this problem exists, I mean, politically, they've finally

²⁷⁸ Transcript, Health and Social Policy Committee Meeting 4, 20.09.2007: 5

²⁷⁹ Transcript, Health and Social Policy Committee Meeting 4, 20.09.2007: 5

understood that this could be a big thing, you know, and politicians always want to tackle the next big thing, so really we can say that our centres have pushed the institutions, its thanks to us.²⁸⁰

They described the formal consultation process as ‘useful’, and went on to explain that they supported the legislative proposal that had been drawn up as ‘they made it with us’.²⁸¹ Representatives from Liberetutte also explained that their level of engagement with the Consiglio ‘depended on the person’: sustained or successful engagement could only happen if an AM ‘has been involved in plans, or recognises the importance of the issues we work on.’²⁸² They were extremely negative in their appraisal of the role of the CRPO – a body designed to advance the interests of women. According to Donella and Giovanna, the members of the CRPO have little or no knowledge of the issues surrounding domestic abuse. As they put it:

it’s not like they [the Consiglio] go looking for someone from a domestic abuse organisation from one province or another, no, they look amongst themselves, I mean, there’s the lawyer that has the prestige of sitting on the Equal Opportunities Commission, there’s the professional, the teacher, who can say “ah, I sit on the Commission”, but who are they? They don’t know anything about these issues.²⁸³

Generally speaking, though, the women from Liberetutte were content to see the Consiglio taking action on domestic abuse, and content to be consulted, even if they were also keen to distance themselves and their work from the control of regional governing structures.

The above covers the markedly similar perspectives and contributions of those organisations that participated in the formal consultation. However, there were several organisations in the region that did not participate – either because they could not attend or because they were not invited. Grosseto-based Olympia de Gouges is a key

²⁸⁰ Interview, Donella Baronti, Montecatini Terme, 20.07.2010

²⁸¹ Interview, Donella Baronti, Montecatini Terme, 20.07.2010

²⁸² Interview, Donella Baronti, Montecatini Terme, 20.07.2010

²⁸³ Interview, Donella Baronti, Montecatini Terme, 20.07.2010

example of the former – an organisation invited but unable to attend. When asked in interview why the organisation did not send a representative to the formal consultation, their Director, Gabriella Lepri, explained that as a small, volunteer-led organisation, Olympia de Gouges found it hard to spare anyone for the day at relatively short notice: ‘our centre is completely reliant on volunteers. So, at the moment... there are five, six of us... it’s hard.’²⁸⁴ When asked about whether her organisation had *any* contact or relationship with the Consiglio, Lepri was candid: ‘what can I say? Some times we delude ourselves, but it’s not like they pay much attention to us’.²⁸⁵

As in Wales, a set of informal, behavioural expectations – for a timely response and a readiness to provide easily useable information – attached to the role of consultee tended to exclude smaller, local organisations from the formal process of consultation. Women’s organisations like Olympia de Gouges that could not meet these normative expectations and send a representative on the named day were excluded from the process. Even for those groups that were invited, their role was very much a passive one: they attended a meeting at the time and place specified by AMs, who did not provide the facility for groups to submit written evidence to the consultation.

The way in which AMs’ informal, normative expectations of consultees functioned to exclude smaller, local women’s organisations is clearer still when we consider the list of groups that did not even receive an invite to attend the formal consultation. Those organisations that were invited – Artemisia, Liberetutte, La Nara, Casa della Donna, Comitato Perla, Pronto Donna and Olympia de Gouges – are equivalent to just over half the total number of groups working in the domestic abuse sector in the region (Regione Toscana, 2009). There are a number of other, smaller groups like Amica Donna of Montepulciano, L’Una per L’Altra of Viareggio or Lilith of Empoli – most of which rely entirely upon volunteer workers and many of which are organised as collectives – that work in the area but were not invited to attend (ibid).²⁸⁶ Since the consultation was not openly advertised, opportunities for these organisations to act were very much closed down. This suggests that these groups did not fulfil Gelli’s specified criteria of ‘expertise’ and ‘importance’, and as such did not merit engaging

²⁸⁴ Interview, Gabriela Lepri, Grosseto, 13.07.2010

²⁸⁵ Interview, Gabriela Lepri, Grosseto, 13.07.2010

²⁸⁶ Interviews, Gabriela Lepri, Grosseto, 13.07.2010, Centro Antiviolenza, Livorno, 05.06.2010; Correspondence, letter, 31.08.2007

with. Just as in Wales, then, a particular sub-set of women's organisations – most displaying similar characteristics – was included in consultation, whilst others – again displaying similar characteristics amongst themselves – were excluded.

This preoccupation with expertise is symptomatic of the way in which the pre-existing gender regime of the Consiglio, itself shaped by the wider gender order, privileges masculinised norms of bureaucratic and technical working which place value on (false) 'neutrality', objectivity and rationality as against 'bias', subjectivity and emotion, have shaped the behaviour of policymakers (Chappell, 2006; Lovenduski, 2005). Hierarchical organisations with paid staff that provide services across a large part of the region ostensibly enacted more professionalised – therefore masculinised (Connell, 1987) – characteristics of theoretical knowledge and technical expertise, which resonated with AMs' normative role expectations, enabling their participation. Those local-level organisations which operate as collectives led by volunteers did not play by the accepted rules of the game, and as such were constrained.²⁸⁷ This is not to say that those organisations identified as expert did not make an extremely valuable contribution to the consultation – rather, that those organisations may not have been able to represent the claims of those smaller organisations and their service users that were excluded from the process, with negative consequences for the SRW.

However, even those women's organisations that were invited found themselves constrained in terms of the stage in which they entered the policy development process, which was very late in comparison to Wales. In Wales, for the 2005 strategy representatives of particular women's organisations were instrumental in drafting a strategy proposal; in 2008 contributions from women's organisations were woven into the fabric of the report; and in 2010 again there was a good deal of consultation with certain women's organisations during the drafting of the strategy. Yet in Tuscany, proposed legislation had been drawn up, shown to various Consiglio Committees and re-drafted before being shown to women's organisations during formal consultation.

²⁸⁷ This is not to mention the de facto exclusion that the two organisations invited to the consultation but not able to attend experienced as a result of the decision to hold a one day event with no flexibility in date. As has been made clear by scholars, mostly with regard to the UK case, women's organisations typically face considerable material constraints (lack of human and financial resources) which severely limit their capacity to engage with policymakers (Plesset 2006; Riordan 2000; Sheridan 2004).

Each of these actors was involved in the formal process of consultation much earlier than women's organisations in the region were, thus giving them greater opportunity to affect the formulation of the legislative proposal. Before September's consultation day had even been scheduled, the legislative proposal that was to become *Ir n.59 2007* had already been sent to the Consiglio President, Riccardo Nencini, for an opinion in early March 2007. Nencini's only comments when sending back the legislative proposal later that month were to highlight his concerns that information on how the law would be financed was insufficient.²⁸⁸ His statement related, then, to practical or material issues with the proposal as opposed to its framing of the problem.

Although in terms of formal mechanisms, women's organisations were engaged in the process of policy development rather late, a handful were, in fact, involved much earlier through their participation in an *informal* working group set up by Petraglia which met outside of the Consiglio. She explained in interview that she set up a group comprised of 'a few assembly members, and a few women's organisations' to begin drafting the original proposal.²⁸⁹ The other AMs to participate were all female, and included Celesti and three of Petraglia's coalition colleagues. In terms of the women's organisations involved, five of the six organisations listed above – Artemisa, La Nara, Pronto Donna, Casa della Donna di Pisa and Liberetutte – who took part in the formal consultation were part of this unofficial working group. As Petraglia explained, during late 2006 and early 2007, the group met 'every week' to discuss the legislative proposal she was later to submit.²⁹⁰

Evidently, as an unofficial group, rules structuring interaction between Consiglio insiders and outsider women's organisations were informal. Professional networks and contacts acted as some of the informal selection criteria which operated as a kind of rule set, allowing certain organisations in whilst shutting others out. In terms of professional networks, of the organisations participating in the unofficial consultation, most are networked through a non-statutory body known as TOSCA (the Coordinating

²⁸⁸ Osservazioni istruttorie sulla proposta di legge in oggetto n.181, Presidente Nencini, 29.05.2007

²⁸⁹ Interview, Alessia Petraglia, Florence 05.07.2010

²⁹⁰ Interviews, Alessia Petraglia, Florence, 05.07.2010, Donella Baronti, Montecatini Terme, 20.07.2010, Gabriela Lepri, Grosseto, 13.07.2010

Authority for Anti-Violence Groups in Tuscany), through which they share information with one another.

We have seen above how those AMs inside the Consiglio that participated in the formal consultation procedure privileged the participation of well-established women's organisations, such as Artemisia or Casa della Donna di Pisa, that were perceived to be experts on domestic abuse and violence against women. In spite of formal rules which open up consultation to any 'interested parties' (Regolamento Interno dell'Assemblea Legislativa 2010, Art. 48,1) AMs' gendered normative expectations for masculinised characteristics functioned as an informal rule set excluding smaller, less-established groups in the region, all of which display more feminised characteristics. In addition, where informal consultation occurred, personal and professional networks amongst AMs and the women's organisations themselves were influential in securing participation, with those smaller groups that are less connected again unable to act. With regard to both formal and informal consultation, only those groups that were able to play by the rules benefitted from an opportunity to act. The fact that most of the consultation on the legislative proposal took place outside of the Consiglio is, furthermore, an indicator that the formal rules establishing what is required in terms of consultation were not particularly embedded amongst AMs and are only very weakly enacted.

5.4. Discussion and conclusion

The sections above show that although in both Wales and Tuscany new formal rules prescribe a role for women's organisations in the policymaking process as consultees, their enactment and effects are mediated through interaction with pre-existing informal norms and shared frames of understanding. In other words, transforming formal rules so that they commit to inclusion has not had the straightforward effect of enabling claims-making by a wide range of women's organisations, and so enabling the SRW.

I have shown that the rules structuring relationships between AMs and women's organisations, which prescribe particular roles in consultation and associated appropriate behaviours and discursive strategies, were informalised. Across both cases there is no doubt that formal rules were enacted to an extent, in that some organisations were included in consultation processes. Nonetheless, many were

excluded at various stages in consultation as they were not perceived to fulfil the role of 'consultee' as defined by masculinised norms of bureaucratic and technical working. This is a clear instance of coercive isomorphism, whereby the participation of those organisations that have been best able to respond to external (and often tacit) pressure from regional government to 'professionalise' were enabled, with those who have not adapted marginalised. Such a pattern reproduces and responds to the pre-existing (and largely unequal) gendered power relations between actors.

With regard to consultation processes, findings from empirical work across both sites demonstrate that in both regions, although formal rules prescribe women's organisations a role as 'consultees' in policy formulation, only a small sub-set of women's organisations active on issues of domestic abuse were in fact routinely engaged in policy formulation, whilst a considerable number of others were excluded. Those included tended to be larger, comparatively well-resourced, well connected to each other and to key policymakers, and function as professional hierarchical organisations, thus displaying the attributes perceived to be most appropriate according to the gender regimes of the two assemblies; by contrast, those excluded tended to be smaller, poorly-resourced, isolated, and function as collective, flat organisations. These participatory patterns reflect struggles over the meaning of domestic abuse across and between insider and outsider actors, as well as clashes in perceptions of appropriate or inappropriate behaviour. Assembly Members (AMs) across both cases tend to include organisations that reflect and respond to traditional, dominant ways of organising, which themselves respond to and reproduce gendered asymmetries of power in wider society. This is the same pattern I explored in the previous chapter with regard to AMs' selection and retention of particular discursive frames in the representation of domestic abuse as a policy problem.

The women's organisations that were included in policy formulation across both sites all display characteristics associated with professionalism – that is to say specialist knowledge and expertise dependent upon rationality and calculation. These are traits that are culturally coded as masculine. As Connell explains, in contemporary western societies, character traits like objectivity and rationality are always associated with a dominant masculinity, whilst their opposites, subjectivity and emotion, are always associated with an emphasised femininity (1987). Within the public sphere especially,

which I have discussed in the earlier literature review as a historically male arena, behaviour which displays masculine values and characteristics is typically privileged over behaviour displaying feminine attributes, as over time, parliamentary democracies in the west have developed 'a strong underlying commitment to the norm of bureaucratic neutrality' (Acker, 1992; Chappell, 2006: 226; Lovenduski, 2005). This norm of neutrality shapes the behaviour of actors beyond public administrators: actors engaged in public administration are assumed to be able to remove themselves from situations and act with objectivity in the pursuit of the public interest, serving the majority (Chappell, 2006; Stivers, 1993). Put simply, normative expectations of appropriate behaviour in bureaucratic politics 'are, in fact, masculine' (Chappell, 2006: 227). Across both cases, the inclusion of organisations perceived to be professional – expert, objective and neutral – as against the exclusion of those perceived to display more manifestly feminine characteristics – emotion, subjectivity and perceived bias – is a clear reflection, then, of gendered asymmetries of power present in society (Chappell, 2006; Connell, 1987). Just as the findings of chapter 4 showed that the actors most likely to see their representations of domestic abuse placed on the policy agenda are those whose demands threaten established organisational discursive frames the least, this chapter finds that the 'insider' and 'outsider' actors who are most likely to be included and enabled during the policy formulation process are those who match most closely or behave most appropriately according to pre-existing norms of bureaucratic and technical working which structure both the NAW and the Consiglio.

It is this informalisation of the rules determining who has a more active voice in policy formulation that – in the case of domestic abuse policy – leads to the inclusion of larger, better resourced and connected hierarchical organisations and the exclusion of smaller, poorly resourced collectives across both regions. It is certainly not my aim to argue that those larger organisations that are included are not doing a good job of representing certain constituencies of women that suffer from domestic abuse. Indeed, generally speaking, as a result of their size and resource base they are able to effectively canvas the views of their many service users to put forward during consultation with policymakers. What I argue in this chapter – as I have done in the preceding chapter and clarify further in the following chapter – is that the exclusion of smaller, collective women's organisations can have detrimental effects for the SRW in terms of the domestic abuse policy outputs produced. Although I elaborate on what

this means in practice in chapter 6, it bears explaining here that where these kinds of groups are systematically excluded, their participation is constrained, and as such arguments around domestic abuse as function of women's wider inequality were only heard from a small number of organisations, with the interests of the diverse constituency of women to be represented not advanced, and therefore less able to have an impact on outputs.

Although broadly speaking the pattern was the same across both regions, there were some differences between cases. First and foremost, although formal consultation with women's organisations was undeniably more extensive in Wales than in Tuscany, *informal*, unofficial consultation was also widely practised in the latter. Unsurprisingly, the rules structuring interaction between women's organisations and AMs engaged in unofficial consultation were also informal. However, decisions over which organisations were permitted to fulfil the role of 'consultee' and which were prohibited were not, this time, shaped by pre-existing norms or bureaucratic and technical working, but rather by and through personal and professional networks and pre-existing relationships between key AMs and women's organisations in the region. Although the rule set structuring interaction outside the Consiglio was different from the one structuring action within, neither were formalised, codified or made clear to actors. This is a further illustration of the importance of informal rules and informal relationships between insider and outsider actors in opening opportunities for action in the domestic abuse policy process.

The second significant difference across the two cases is the way in which women's organisations in Tuscany have resisted adopting a gender neutral representation of domestic abuse, whilst a number of their sister organisations in Wales have shifted their framing. Findings from empirical work discussed above indicate that this is a function of greater cooperation and trust between women's organisations and the WAG and NAW in Wales, as well as a function of greater mistrust and distance between women's organisations in Tuscany and the Consiglio. Furthermore, women's organisations in Wales have pointed to the need to shift the framing of abuse in order to secure funding to provide services. As explored above, the findings indicate that where Welsh women's organisations have changed their representations of domestic abuse from gendered to gender neutral, they have indeed benefitted from greater

opportunity to act in policy formulation, but only where this change has been accompanied by a shift in organisational structure and ways of working. In Tuscany, rather similarly, although none of the women's organisations working in the domestic abuse sector have been prepared to shift their representation of the phenomenon from gendered to gender neutral, those organisations that have been willing or able to adapt their structure, working practices and wider framing of abuse – from a gender equality issue to a human rights issue – have benefitted from greater opportunity to act. Opportunities to act in the process of policy formulation, however, do not necessarily equate to influence over outputs – that is to say the policy finally adopted – and it is this I explore in the subsequent chapter.

CHAPTER 6. INFORMAL NORMS AND INFLUENCE OVER POLICY OUTPUT: THE PERSISTENCE OF THE OLD

6.1. Introduction

This chapter builds on the conclusions of chapters 4 and 5 through an analysis of policy outputs across both cases in order to fully explore how the SRW has been enabled or constrained during domestic abuse policy development in both cases. The preceding chapters explored whether and how opportunities to act were opened up or closed down for different actors at various stages of the domestic abuse policy development process – problem representation, agenda-setting and policy formulation – by and through discursive structures and the gendered formal and informal rules structuring interaction amongst and between AMs and women's organisations.

In this chapter, I move on to analyse the outputs of these decision-making processes, that is to say the domestic abuse policies that were actually adopted in both regions, in order to demonstrate that particular women's organisations' failure to understand or play by the informal rules of engagement has resulted in their perspectives being excluded from policy, even where they have participated in consultations, thus constraining the SRW. However, as we have seen in the preceding two chapters with regard to patterns of participation, patterns of power and influence are complex. In some instances, even where organisations appear to have fulfilled AMs' normative expectations of appropriate behaviour and organisational structure, their claims are not reflected in policy outputs. I argue here that this is symptomatic of struggles over meaning between actors and is the result of conflicting understandings of domestic abuse as a gendered or gender neutral phenomenon, and the adoption of clashing discursive frames, as well as conflicting normative expectations of appropriate behaviour between insider and outsider actors. Where women's organisations across both regions have adopted a gendered representation of domestic abuse, this has failed to resonate with policymakers, who see their role as representing the interests of a broad range of constituents rather than a specific identity group. This all has potential real world consequences that I will also explore in the chapter.

Analysis of the Welsh and Tuscan domestic abuse policy documents can help us to see whether and how their contents converge or diverge from the claims made by

particular women's organisations engaged in earlier stages of policy development. Where the claims of particular women's organisations have been reflected in outputs it tells us something about their capacity to both understand and play by the informal rules structuring interaction with AMs, as well as something about the way in which the assemblies are structured culturally and politically and their gender regimes. Equally, where there is divergence between policy content and women's organisations' claims we can explain this in part as a function of a failure to understand and play by these informal rule sets.

This chapter again use Willig's six step method of CDA to interpret how the discursive object of domestic abuse, the subject of the victim, and the subject of the perpetrator are constructed within the texts, and also to explore how these constructions locate the subjects in particular situations, opening up or closing down opportunities for action which have implications for subjects' real world experiences. The chapter analyses data from 6 interviews, and 24 separate documents. As with chapters 4 and 5, the majority of the documentation is from the Consiglio and the NAW, and includes: two government strategic action plans; four proposed/ adopted pieces of legislation on domestic abuse; one set of working group minutes where domestic abuse policy was discussed; four sets of committee meeting transcripts or minutes where domestic abuse policy was discussed; one committee report on domestic abuse; one government public consultation document ; one assembly statute ; and two ministerial statements on domestic abuse. The remaining documents are from women's organisations in the regions and comprise eight consultation responses.

6.2. Policy content – the limited influence of women's organisations

6.2.1. Policy in Wales

In this section, I will examine the ways in which the WAG's finalised 2005 and 2010 domestic abuse strategies (Tackling Domestic Abuse, A Joint Agency Approach and The Right to Be Safe, respectively) and the conclusions of the NAW Communities and Culture Committee's 2008 inquiry into Domestic Abuse in Wales converge or diverge with the claims made by representatives of regional women's organisations. As we have seen in the previous chapter, only a particular sub-set of women's organisations

were engaged in the latter stages of consultation, and I will also reflect on how differing levels of participation relate to differing levels of influence over policy outcomes.

Whilst there are certainly some areas of convergence between the claims women's organisations made during consultation and eventual policy outcomes – mainly relating to protecting children and young people and developing education programmes for schools – there are some fundamental areas of divergence, too. Most evident are struggles over meaning between insider and outsider actors in relation to the gendering of representations of domestic abuse. In spite of the fact that the majority of women's organisations in Wales represent domestic abuse as a gendered phenomenon, in each of the three policy documents that the WAG and the NAW have published domestic abuse is represented as a gender neutral phenomenon. These clashes between policymakers and women's organisations are symptomatic of different understandings of the phenomenon, and also of conflicting normative expectations as to what appropriate behaviour is in a given context. They have potential real world consequences in terms of the subjects of policy.

6.2.1.1. The 2005 Strategy – convergence and divergence in content

As regards the 2005 strategy, documentary resources detailing the specifics of the consultation and drafting process are scarce. However, as we have seen in the previous chapter, representatives from a small sub-set of women's organisations active in the sector – BAWSO, Welsh Women's Aid and Hafan Cymru – were indeed involved in drafting the 2005 Domestic Abuse Strategy. Given the scarcity of documentary resources, I asked interview participants about the drafting process. Data suggests that women's organisations formed only a minority of the drafting group – as one participant explained, 'I was heavily involved in the 2005 strategy, and I would think I was probably one of the few non-civil servants who was involved'.²⁹¹ Other groups that were engaged in addition to WAG civil servants included representatives of statutory organisations such as the CPS. It is important to note – as I have discussed in chapter 4 – that at this time each of the women's organisations involved explicitly framed domestic abuse as a women's issue, not as a gender neutral policy

²⁹¹ Interview, secondees to WAG, Cardiff 11.04.2011

problem.²⁹² In relation to this gendered analysis, they also tended to represent the phenomenon as something that affects families and children, adopting a wider social welfare discourse to contextualise the problem (Ball and Charles 2006; Charles 2010).²⁹³ Taking this as a starting point, we can see that there is one major area of convergence between the claims women's organisations made during the policy development process and actual policy output, and one major area of divergence.

Turning first to convergence between insider and outsider actors, the most significant area relates to the way in which the 2005 Strategy document, 'Tackling Domestic Abuse: The All-Wales National Strategy, A Joint-Agency Approach', adopts a predominantly social welfare frame to represent domestic abuse, and focuses especially on children and young people, and families. In the ministerial foreword to the document, written by the then Minister for Social Justice and Regeneration Edwina Hart, the potential effects of domestic abuse on children are highlighted:

Where children live in a home where domestic abuse takes place there is a risk of harm. To witness or to be aware of abuse and threats or violence is obviously highly detrimental to children of any age, including the very young. They could also be at risk of, or subjected to, serious systematic abuse themselves.

(Tackling Domestic Abuse: The All Wales National Strategy, A Joint-Agency Approach, 2005: 1)

This framing is echoed later in the introduction to the Strategy, where the children are again explicitly referred to as victims of abuse: '[t]he trauma and long-term effects suffered by children living in a violent household is incalculable' (ibid: 5). In fact, throughout the document explicit references to children as victims are prominent.²⁹⁴ In addition two of the four key aims of the Strategy are outlined as '[i]ncreasing women and children/young people's safety', and '[s]upporting and informing children/young people' (ibid: 15-18). This straightforward construction of children as victims in the

²⁹² It was only later, in 2008 that Hafan Cymru switched to providing services for men and shifted their representation of domestic abuse away from their previous position.

²⁹³ Interview, Hannah Austin Welsh Women's Aid, Cardiff, 26.07.2011

²⁹⁴ See also pages 3-7; 11;19; 21; 23; 25, Tackling Domestic Abuse: The All Wales National Strategy, A Joint-Agency Approach 2005

2005 Strategy reflects the general position and input of women's organisations across Wales during the early stages of policy development. Groups like BAWSO and Welsh Women's Aid that were involved in the drafting process for the Strategy in their capacity as members of the Assembly's Working Group on Domestic Abuse and Violence Against Women had for some time been providing services to children and young people – mostly girls and young women but also boys and young men, too, as the children of women victims – and drawing this to the attention of policymakers (Ball and Charles, 2006). In this sense, we can point to some women's organisations' claims being reflected in the actual policy adopted.

Conversely, the above quote from the ministerial foreword and the introduction to the Strategy also begin to illustrate one fundamental area of divergence between the claims' made by women's organisations and eventual policy output, in that they show how the problem of domestic abuse tends overwhelmingly to be situated within individual homes, thus implicating the families and individual actors within them. This in itself is unsurprising – the focus on this particular set of subjects and this particular location clearly relates to the way in which the abuse referenced is occurring in a domestic setting. What is problematic from the perspective of the SRW, however, is that throughout the rest of the strategy document this location is maintained and actors in wider society and broader structural relationships between genders are not implicated in domestic abuse. Although the document commits to 'addressing the causes of domestic abuse' (Tackling Domestic Abuse: The All Wales National Strategy, A Joint-Agency Approach, 2005: 3), there is not one instance within the text where wider societal inequality between men and women is explicitly recognised as a factor. In framing domestic abuse in this way, as a problem for individual households and individual relationships, the Strategy closes off space in which the phenomenon can be recognised as a structural, gendered problem.

This is the single most striking area of divergence apparent in the finalised version of the 2005 strategy – the predominately gender neutral representation of domestic abuse that the Assembly adopts. In the document itself, domestic abuse is defined as:

the use of physical and/or emotional abuse or violence, including undermining self-confidence, sexual violence or the threat of

violence, *by a person* who is or has been in a close relationship... It can also involve emotional abuse, the destruction of *a spouse's or a partner's* property, their isolation from friends, family or other potential sources of support, threats to others including children, control over access to money, personal items, food, transportation and the telephone, and stalking. (ibid, 2005: 6, emphasis author's own).

This definition gives us a good illustration of how domestic abuse as a discursive object is explicitly constructed at particular instances within the document, and also how the subject positions of the victim and the perpetrator are constructed, too. If we first take domestic abuse, it is clearly constructed as both an overt and covert phenomenon that occurs within relationships and families. There are no real explicit or implicit references to gender here, in the sense that the relationships and families mentioned are conceivably open to both homosexual and heterosexual men and women. The only thing that marks out domestic abuse from other types of violence, therefore, is that it takes place within the domestic sphere. This gender neutral approach is reinforced through the construction of the subject of the victim as 'person' who is or has been involved in an intimate relationship – as a 'partner', a 'spouse' or a 'child' (ibid: 5-7).²⁹⁵ The gender of the subject is neither made explicit nor referenced implicitly, and we are therefore presented with a construction of domestic abuse that could potentially affect men and women (and their children) in equal numbers.

However, at other instances in the document constructions of the discursive object and the subject of the victim, and the subject of the perpetrator, are both explicitly gendered. Explicit gendering of the victim either female or male occurs in multiple sections, including the foreword, the introduction, the aims of and the context for the Strategy, where references are made to 'women and men [being] victims of domestic abuse' (ibid: 7).²⁹⁶ Similarly, in the context section of the Strategy document the phenomenon of domestic abuse itself is constructed as gendered through the use of statistics specifically relating to women's experiences (ibid: 11) As a consequence there is a good deal of tension within the text between conflicting constructions of the

²⁹⁵ See also pages 11; 15; 18, Tackling Domestic Abuse: The All Wales National Strategy, A Joint-Agency Approach 2005

²⁹⁶ See also pages 1; 3; 5; 7; 11; 15, Tackling Domestic Abuse: The All Wales National Strategy, A Joint-Agency Approach 2005

subject of the victim as being female, and although the overall position the Assembly takes in the Strategy is a gender neutral one it is possible to observe, to an extent, the influence of those making claims for a gendered approach, including the women's organisations involved in the drafting process.

In the introduction to the Strategy, the construction of the victim shifts from gender neutral to gendered and as such the representation of domestic abuse does the same. Whilst initially, the document reinforces the gender neutral approach adopted in the definition by explaining that '[t]he Welsh definition is a full definition which recognises that any person can be the victim of domestic abuse: women and men can be victims of domestic abuse' (ibid: 7) later in the same paragraph this construction is undermined by the assertion that 'the great majority of domestic abuse is perpetrated by men against women and their children' (ibid: 7) where the victim is overwhelmingly constructed as female and the perpetrator as male. This tension between opposing constructions continues throughout the document, whereby repeated references to the fact that the majority of victims of domestic abuse are women and explicitly stated aims of '[i]ncreasing women's safety' (ibid: 15) conflict with references to equal treatment for men and women. In the section of the document that outlines the Assembly's approach for tackling domestic abuse, the text states explicitly that men and women should receive equal support:

Equality is central to all strategy themes... The Welsh Assembly Government is committed to supporting the people of Wales and will continue to confront prejudice and unfairness. It is sometimes claimed that there is a lack of recognition that men can also be victims of abuse and the Welsh Assembly Government will be expecting all partners to work towards this aim. (Tackling Domestic Abuse: The All Wales National Strategy, A Joint-Agency Approach 2005, 8).

The explicit construction of the subject of the victim as male at this point in the text is situated within a wider equal rights discourse. Arguably, this particular construction is deployed at this point in order to clarify and legitimate the need for male victims to be recognised and provided for on an equal footing with female victims, thus allowing the

WAG to adopt the same strategy to deal with male and female victims. When I asked about the gender neutral focus of the Strategy in interviews, one of the authors explained:

Wales has always taken a position on male victims which I know is different to the one in Scotland and the one in England, and we always felt that whoever you were, be you a man or a woman, if you're a victim of domestic abuse then the state had a duty to you.²⁹⁷

However, the notion that the same policy solutions can be used for women and men who are victims of domestic abuse is disputed by women's organisations in the region. They tend to gender their representation of domestic abuse and argue that male violence against women is both a cause and consequence of women's wider inequality. At the same time, they do not dispute that men can also be victims of domestic abuse, but may have different needs. They would, therefore, recommend specific policy solutions to protect and combat domestic abuse against women.²⁹⁸ This perspective is typified by the comments of Welsh Women's Aid's Policy and Campaigns Officer, Hannah Austin, who explained her position in interview as follows:

every time it's what about men, what about men, and I just say, well, it doesn't affect men as much! It's really stupid that it's seen as this exclusive thing, that it's excluding a group of people, at the end of the day, if anything affects one group of people more than the other group you've got to ask why, not pretend that it doesn't. It's almost like vehement denial, wilful denial of the fact, it's really strange.²⁹⁹

Whilst it does not appear from the documentary and interview evidence that we have considered so far that AMs are, in fact, wilfully denying that women suffer from domestic abuse in much greater numbers, it does seem that policymakers view a focus on women-only as exclusionary and a marker of inequality. As I have discussed

²⁹⁷ Interview, Seondees to WAG, Cardiff 11.04.2011

²⁹⁸ Transcripts, Communities and Culture Committee meetings, 30.04.2008: 13; 19.06.2008: 26

²⁹⁹ Interview, Hannah Austin, Welsh Women's Aid, Cardiff 26.07.2011

in the preceding empirical chapters, doing anything that might encourage inequality would be perceived by AMs to be in contravention of formal rules that require AMs to promote equality in all their actions, and have shaped normative expectations for appropriate behaviour as inclusive – that is to say offering the same treatment to everyone (Government of Wales Act, 2006 Art. 77.1).

This construction of the victim of domestic abuse as gender neutral strongly diverges from the claims made by women's organisations who were engaged in the policy drafting process; however, this is not to say that their input cannot be seen within the document. Indeed, at several instances in the document statistical evidence provided by women's organisations like Welsh Women's Aid is included, and has the effect of legitimating a construction of the victim as female. In the introductory section of the Strategy, the following figures are quoted:

According to Welsh Women's Aid:

- Seventy per cent of domestic abuse victims are women...
- Forty-one per cent of all female homicide victims are killed by a partner or a former partner.

(Tackling Domestic Abuse: The All Wales National Strategy, A Joint-Agency Approach, 2005: 5).

Later in the document figures from Hafan Cymru regarding the number of female victims of domestic abuse housed in temporary accommodation by the organisation are cited, along with statistics relating to the ethnicity of women service users at BAWSO (ibid: 12). Each of these sections explicitly constructs women as victims and implicitly constructs men as perpetrators, causing tension with previous gender neutral or male constructions of the victim. There is no real resolution of this tension in the document.

At this stage it is important to revisit some of the documentary data that I have examined in preceding chapters, and make it clear that the original draft of the 2005 Strategy adopted a gendered representation of domestic abuse and did not make any

concrete references to dealing with men as victims of domestic abuse.³⁰⁰ However, in Assembly plenary sessions and committee meetings the Minister leading the development of the strategy, Edwina Hart, was repeatedly reminded of men's needs and the necessity to include male victims in any policy. Frequently, as we have seen in chapter 4, these reminders to include men were not always supported by evidence of men's real-life victimhood, but rather framed as an equality issue: men can also be victims of domestic abuse, and since the Assembly seeks to treat all Welsh people equally, then if women victims are receiving support male victims must receive equal support. In this formulation, domestic abuse is not a gendered policy problem, but rather a universal one. As a consequence, all those who are victims are placed in the same position.

The tensions present in the 2005 Strategy are indicative of a struggle over meanings between actors – women's organisations who represent domestic abuse as a gendered phenomenon and construct the subject of the victim as female, and the WAG which overwhelmingly represented domestic abuse as a gender neutral phenomenon and constructed the subject of the victim non gender specific. This struggle can be explained as the result of a clash in interpretations of equality, and diverging informal, normative role expectations. The fact that the Strategy itself shifted from a gendered to a gender neutral approach (albeit with some significant contradictions remaining) after persistent scrutiny from AMs who framed their recommendations to include men as a matter of *equality* indicates the significant role that new formal rules and informal norms encouraging AMs to promote equality in the exercise of their functions had in shaping their behaviour.³⁰¹

These formal rules set expectations for behaviour in a similar way to the norms of bureaucratic and technical working that I have discussed in the preceding chapter: by specifying what actions are required, permitted or prohibited in particular contexts (Ostrom 1999). In this case, not only did formal rules require that AMs act to promote

³⁰⁰ The minutes of the meeting of the Social Justice and Regeneration Committee in which the draft strategy was scrutinised by AMs show that the Minister was asked to 'include abuse against men in a later stage of the strategy and in possible research'. Item 6, Minutes Social Justice and Regeneration Committee meeting 09.06.2004

³⁰¹ These formal rules changed in 2006 with the passing of the Government of Wales Act 2006, and now it is only the WAG that is identified as obligated to promote to promote equality in all its functions (Art.77. 1).

equality amongst all Welsh people, they were interpreted as prohibiting AMs from acting to encourage inequality, where equality means the sameness. It would seem that this duty to promote equality and combat inequality is not something that AMs only abide by for fear of sanctions, but rather it is something that has become embedded in informal institutional norms which set role expectations and related perceptions of appropriate behaviour in particular situations. AMs challenging the original gendering of the policy problem in the 2005 Strategy made no reference to the formal rules in their interventions; rather they stressed the need to treat all victims equally.

This is in direct opposition to outsider women's organisations who were engaged in the drafting of the Strategy, several of whom also adopted an equality frame to represent domestic abuse as a gendered issue, although in their case pursuing equality means difference, that is to say, women's rights to different treatment from men. They represented domestic abuse as a women's issue, pointing to women's inequality in wider society as both a cause and consequence of the phenomenon, thus opening up space for policy solutions which focus on women's empowerment. Evidently, women's organisations' engaged in consultation and drafting processes saw their role as representing the interests of a particular, differentiated identity group. Given their historic position as representatives of marginalised interests, it is unsurprising that their normative role expectations diverged from AMs' perceptions of their own role in these processes as representatives of the general interest. It is this divergence in the norms and frames shaping insider and outsider behaviour that can help us to account for the ways in which women's organisations' claims for a gendered approach have been passed over in the 2005 Strategy document: their framing failed to resonate with all policymakers. We can also observe similar struggles over meaning between actors in the report published after the Communities and Culture Committee's 2008 inquiry into Domestic Abuse in Wales. However, unlike the 2005 Strategy document the report discusses the conflicting claims of outsider organisations explicitly before unequivocally reaffirming the necessity of the gender neutral approach that was already in force. The inquiry, therefore, not only retained the gender neutral framing of domestic abuse but also reinforced it.

6.2.1.2. The 2008 inquiry – continued struggles over meaning

In the preceding chapter, we have seen that many of the women's organisations contributing written and oral evidence to the NAW Communities and Culture Committee's 2008 Inquiry recommended that the Assembly revise its 2005 Strategy to adopt a gendered approach. Specifically, Welsh Women's Aid and smaller Women's Aid affiliate organisations along with BAWSO made it plain to AMs conducting the inquiry that they did not believe the current, gender neutral framework to be effective.

³⁰² Their input is recognised in the Committee's report, which states that:

There was some disagreement among contributors relating to the definition of domestic abuse adopted by the Welsh Assembly Government, including different views on the relative benefits of employing a gender-specific (women focused) or a non-gender specific definition of domestic abuse. For example, Welsh Women's Aid recommends that the focus of the Strategy should be violence against women. This, they argue, would more accurately reflect the gender-specific nature of domestic abuse as violence against women and ensure services are focused on women and children.

(Domestic Abuse in Wales 2008, 6.1.5)

The report is also careful to point to contrasting testimony from other statutory and non-statutory organisations that recommend just the opposite – that the 'gender-inclusive' definition previously adopted by the WAG and NAW is 'important to ensure that the needs of male victims are met' (ibid, 2008: 6.1.6). The switch to referring to the WAG's approach here and later in the document as 'gender-inclusive' as opposed to the terms 'gender neutral' or 'non gender specific' is a highly significant marker of norms of equality – and equality as 'sameness' – shaping policymakers' responses. When the document describes the WAG's gender neutral approach to domestic abuse as *inclusive*, it is simultaneously setting up the opposing approach, where domestic abuse is considered to be a gendered phenomenon, as *exclusive*. Purposefully, or at least knowingly excluding men would run counter to formal statutory commitments to promote equality, and their interpretation within the Assembly's discursive structure as

³⁰² NAW Communities and Culture Committee (2008) Domestic Abuse in Wales, Annexes 2 and 3; Transcripts, Communities and Culture Committee meetings, 30.04.2008; 19.06.2008

meaning sameness, and would therefore be considered inappropriate behaviour. Furthermore, this switch in language actually gives the Assembly a more active role. Whilst the gender neutrality or non-specificity framing places the NAW and the WAG in a more passive role – as receptive to the needs of men and women – the ‘gender-inclusive’ framing places the two bodies in a more active role – as actively looking to provide for the needs of both groups.

Having acknowledged the conflicts inherent in the evidence that diverse groups provided during the inquiry, and made reference to the ‘gender-inclusive’ position that the WAG and NAW took at that time, the report continues with its contradictory explicit and implicit constructions of the phenomenon of domestic abuse as gendered or not, in addition to contradictory constructions of victims and perpetrators specifically as women or men, or as non gender specific individuals. First, following the discussion on contrasting evidence, the report adopts a gendered perspective:

The Committee acknowledges that domestic abuse is a gender issue...[and] appreciates the concerns expressed by some women’s groups that the lack of a gender-specific definition is leading to increased pressure to divert the limited resources currently allocated to supporting women-only services towards mixed or male-orientated support services.

(ibid, 2008: 6.1.9)

Here, the report goes further than simply recognising the gendered nature of domestic abuse – it opens up the possibility of action to redistribute resources to counter the problem through explicit references to (then) current resource pressures and their adverse effects. And yet, the report then goes on to state unequivocally that the Committee endorses and supports the continuation of the gender neutral approach adopted by the WAG, in spite of the conflicting evidence. The document states that:

However, the Committee also recognises that anyone can be the victim or a perpetrator of domestic abuse and supports the inclusive approach of the Assembly Government’s domestic abuse strategy. (ibid, 2008: 6.1.10)

Although this retention of the gender neutral – or gender-inclusive – approach diverges with the evidence provided by the majority of women’s organisations contributing evidence to the inquiry, it is important to note here that it converges with the input of the handful of women’s organisations that also took a gender neutral approach. As I have discussed in the preceding two chapters, one of the largest and most established organisations in Wales working in the domestic abuse sector, Hafan Cymru, changed its constitution in order to be able to provide services for men shortly before the inquiry began in 2008. The organisation was, then, explicit in voicing its support for a gender neutral strategy. It is worth reminding ourselves here, however, that part of the rationale behind this change was due to funding issues arising as a result of the implementation of 2005 Strategy. According to the organisation’s Chief Executive, one of the major factors in Hafan’s decision to switch to a gender neutral view of domestic abuse was to ensure that they met local authority funding criteria, since the latter had progressively stopped supporting organisations that provided women-only services.³⁰³ Since Hafan did not receive any core funding from the WAG at the time – and still at the time of writing did not – the decision was taken to switch to a gender neutral approach to domestic abuse in order to maximise the organisation’s chances of winning commissions.³⁰⁴ So, although Hafan supported the WAG’s gender neutral representation of domestic abuse their position was to a large extent driven by the requirements of the previous 2005 Strategy, the implementation of which, at the local level, left organisations with no guaranteed funding little room but to support the gender neutral approach.³⁰⁵

The initial selection and adoption of a gender neutral representation of domestic abuse in the 2005 Strategy appears, therefore, to have set in train a kind of self-reinforcing cycle. As a result of changes at the local authority level, certain women’s organisations were nudged into shifting their own perspective – a clear example of coercive isomorphism as I have discussed in the preceding chapter. They then retained that perspective, partly by way of expediency in order to legitimate the funding they

³⁰³ Interview, Cathy Davies, Hafan Cymru, Carmarthen 04.04.2011

³⁰⁴ Interview, Cathy Davies, Hafan Cymru, Carmarthen 04.04.2011

³⁰⁵ Further examples of organisations that have shifted their perspective on domestic abuse from gendered to gender neutral include the Domestic Abuse Safety Unit in Deeside, and New Pathways in Merthyr Tydfil.

received, and partly because of perceived need amongst men, and provided evidence to the inquiry which reinforced the WAG's original position. Furthermore, the fact that smaller women's organisations, almost all of which adopt a gendered representation of domestic abuse were not invited to participate in the oral evidence-giving sessions at the NAW is likely to have lessened the resonance of the claims of those who were present.

So, the tensions between conflicting constructions of domestic abuse as a gendered or a gender neutral phenomenon that were present in the 2005 Strategy document remained unresolved in the 2008 inquiry report. Although certain women's organisations' claims regarding the need for a gendered approach to domestic abuse policy were referred to and recognised in the report, the WAG's original gender neutral representation was retained and reinforced: the effect of their participation on outputs was minimal. However, those groups whose representation of the phenomenon converged with the frame adopted by the WAG saw their claims carried forward. In retaining and reinforcing the gender neutral definition of abuse that had been adopted in the previous strategy, AMs were enacting formal and informal rules which required them to promote 'equality' between different identity groups and effectively prohibited them from excluding men. The report was highly significant in terms of policy development as it went on to influence the shape of the 2010 strategy, which I will examine in the following section.

6.2.1.3. The 2010 Strategy – further divergence

Just as in the 2005 Strategy document and the 2008 Inquiry report, conflicts over the gender neutral framing of domestic abuse continued to be very much a part of the finalised 2010 strategy. However, unlike its predecessors, there was little in the way of convergence between the claims of insider and outsider women's organisation actors as the Strategy shifted away from a wider social welfare discourse and towards a criminal justice discourse. A clear indicator of this is the change in the title, from 2005's 'Tackling Domestic Abuse: The All Wales National Strategy, A Joint-Agency Approach', to 2010's 'The Right to be Safe'. Whilst the former indicates the commitment to joined-up work across and between statutory and non-statutory agencies in the community that was at the core of the policy, the latter is evidently

more focused on ensuring the safety and protection of individuals, which requires recourse to criminal justice agencies.

As we have seen in the previous chapter, the consultation document upon which the 2010 Strategy was based – the ‘Strategic Action Plan to address violence against women and to update the Welsh Assembly Government’s Domestic Abuse Strategy, Consultation Document’ – was released as an open consultation document in June 2009, with statutory and non-statutory organisations given 12 weeks to respond in writing.³⁰⁶ The increased use of a criminal justice discourse to frame domestic abuse as a phenomenon is very much evident in the Strategic Action Plan. First and foremost, one of the document’s five main objectives is explicitly listed as ‘improving the response of criminal justice agencies’ (Strategic Action Plan to address violence against women and to update the Welsh Assembly Government’s domestic abuse strategy, 2009: 14). This was not one of the core objectives of the 2005 Strategy, and was therefore a new addition to WAG policy on domestic abuse. Also, in terms of the other four objectives detailed in the Plan, Community Safety Partnerships, the Police, and the Home Office Crime Team³⁰⁷ are repeatedly referred to as the ‘lead’ agencies with responsibility for carrying out and monitoring specific actions.

Furthermore, the introduction to the plan cites statistics from the British Crime Survey, and makes extensive mention of the role of the criminal justice system in tackling domestic abuse. If we refer back to the previous empirical chapter, we are reminded that women’s organisations responded to the focus on criminal justice initiatives in the Strategic Action Plan consultation document with heavy criticism. Their responses to the written consultation raised concerns that the measures proposed in the Strategic Action Plan would result in a poor distribution of resources, with criminal justice agencies receiving funding for projects at the expense of other statutory and non-

³⁰⁶ Ministerial Statement, Minister for Social Justice and Local Government Brian Gibbons, 22.06.2009

³⁰⁷ Community Safety Partnerships are multi-agency partnerships operating at the local government level in Wales which are composed of representatives from statutory agencies like police, local councils, the fire and rescue service, and the NHS, as well as private organisations like businesses, and voluntary organisations. Their purpose is to improve safety through reducing crime.

statutory groups focused on supporting victims or education and awareness-raising programmes.³⁰⁸

However, not all of the proposals in the Strategic Action Plan were so markedly different from those put forward in the 2005 Strategy and the findings of the 2008 inquiry. Children and young people continued to be constructed as subjects requiring support and protection. Indeed, similar to 'Tackling Domestic Abuse, The All Wales National Strategy', one of the core aims of the Strategic Action Plan was listed as 'Prevention, raising awareness and protecting children' (ibid: 5). Throughout the document children are explicitly and implicitly constructed as victims of abuse, which was a part of the strategy that women's organisations responding to the consultation recognised as important.³⁰⁹ And yet, the Strategic Action Plan proposal continued to focus on domestic abuse as a gender neutral phenomenon, contradicting the evidence that many women's organisations had submitted to the 2008 inquiry. The Plan, did, however, seek to tackle violence against women – as groups like Welsh Women's Aid had suggested to the Communities and Culture Committee – which it introduced as a separate, gendered phenomenon. It is significant that in separating the two phenomena, domestic abuse and violence against women, the WAG was strongly retaining and reinforcing the construction of domestic abuse as gender neutral.

As we have seen in the preceding chapter, larger women's organisations including BASWO, Welsh Women's Aid and the smaller Torfaen, Brecknok and Neath Women's Aid groups responded to the consultation to express their disappointment that the gender neutral approach was to be continued as far as domestic abuse policy was concerned.³¹⁰ As one interview participant explained, they felt that the Strategic Action Plan had been put together by someone who was not 'a specialist in that area', and

³⁰⁸ Brecknok Women's Aid; Neath Women's Aid; Torfaen Women's Aid; Welsh Women's Aid; and Hafan Cymru (2009) Responses to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

³⁰⁹ See pages 1-3; 5-7; 11-12; 16; 19, Welsh Assembly Government (2009) Strategic Action Plan to address violence against women and to update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

³¹⁰ BAWSO; Brecknok Women's Aid; Neath Women's Aid; Torfaen Women's Aid; Welsh Women's Aid; and Hafan Cymru (2009) Responses to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

that 'the genderlessness of domestic abuse within [it] is quite worrying'.³¹¹

Organisations like Hafan and New Pathways, on the other hand, responded positively to the gender neutral approach adopted in the strategy proposal, at the same time as criticising elements of the proposed violence against women strategy for a lack of defined goals.³¹²

When we consider the construction of domestic abuse as a phenomenon and of victims and perpetrators as subjects in the Strategic Action plan and how each is gendered the tensions are clear. Although no direct definition of domestic abuse is given in the document, at various instances in the text the phenomenon is explicitly described as both gendered and non-gender specific. The term 'Welsh citizens' is used multiple times to explicitly refer to the subject of the victim in the introduction (ibid: 1-3). This terminology is once again rooted in an interpretation of equality as sameness, and it reinforces and retains the gender neutral approach previously adopted by the WAG. Where the Strategic Action Plan commits to 'making our society a safe place for all citizens' (ibid: 3), policymakers' obligations to treat men and women equally are made clear. However, this gender neutral, equality as sameness frame clashes with others used in the document whereby the subject of the victim is explicitly gendered, as where the document 'recognises that women are overwhelmingly the victims of violence in the home' (ibid: 1-2), or where following on from this explicit reference to the gendering of the phenomenon, the Strategic Action Plan states that:

The evidence is telling us unequivocally that there is still an imbalance of power between men and women in Wales and perhaps this is representative of a long cultural legacy which has not recognised equality of opportunity for women in domestic settings (ibid: 3).

This reference to a power imbalance between men and women marks a significant shift away from the equality as sameness frame that had consistently been applied in previous policy documents. By recognising this difference in the circumstances of men and women, the document opens up possibility for policy solutions that focus on

³¹¹ Interview, Hannah Austin, Welsh Women's Aid, Cardiff 26.07.2011

³¹² Hafan Cymru; New Pathways (2009) Responses to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

women only (potentially in addition to policy solutions that focus on men only) to be introduced. I will examine whether or not this framing was carried through into the finalised policy document in the next section.

In terms of the finalised 2010 Strategy that was drawn up after these consultation responses on the draft strategy had been received, we can again see tensions inside the text. These relate to the gendering of different constructions of domestic abuse and different constructions of the victim that are symptomatic of struggles over meaning between various actors, and continued clashes over understandings of equality. Furthermore, in spite of contestation from women's organisations during their participation in the Communities and Culture Committee's 2008 inquiry, and their responses to the 2010 Strategy consultation document, it reinforced and retained its focus on criminal justice aspects of domestic abuse.

Most evidently, throughout the text of 2010's *The Right to be Safe*, there are multiple, explicit references to the role of criminal justice agencies in delivering the Strategy, as well as repeated implicit references to a criminal justice agenda through discussion of rights and how they are exercised/violated.³¹³ At the very beginning of the document, in the ministerial foreword, then Minister for Social Justice and Regeneration Carl Sargeant explains how the WAG team putting together the policy has 'worked closely with the Home Office and criminal justice agencies in Wales in agreeing the priority areas [of the Strategy]' (*The Right to be Safe*, 2010:1). This work is evidenced in the text at several instances where criminal justice agencies are named as the 'lead' providers of particular services. Where the Strategy commits to gathering further data on incidences of domestic abuse it is the CPS and the Association of Chief Police Officers (ACPO) that are handed responsibility for this task (*ibid*: 18), and where it commits to providing education on domestic abuse for school children, the police are given responsibility for delivery (*ibid*: 10).

In terms of the more implicit construction of domestic abuse as a criminal justice issue, we can point to references to the protection of individual rights through legislation. In the section of the document entitled 'Why do we need "The Right to be Safe"?' the fact

³¹³ See pages 7; 14; 16-18; 20, Welsh Assembly Government, (2010) *The Right to be Safe*

that the WAG has a duty to protect citizens from violence is stressed, both as a legal obligation and as a prerequisite for a 'strong and confident nation which strives to be fair and just' (ibid: 4). In terms of how this protection is to be achieved, the Strategy states that '[i]n England and Wales, our criminal laws aim to respond to this obligation in respect of domestic violence' (ibid: 4).

This criminal justice framing, however, directly contradicts the evidence that women's organisations like Hafan and Welsh Women's Aid submitted to the WAG in response to the Strategic Action Plan. As I have discussed in the preceding section, these organisations were particularly concerned that a redistribution of already scarce resources meant to support victims away from women's organisations and towards criminal justice agencies would have a detrimental effect, since in their experience a majority of women experiencing abuse choose not to go to the police. Yet in this case, although women's organisations were united in their criticism of the criminal justice approach, their consultation responses have had very little effect on policy outcomes. And indeed, the real world effects of the exclusion of women's organisations claims are potentially dangerous. Plans to hand over responsibility for monitoring domestic abuse and gathering data on the phenomenon to the CPS and ACPO were not contained with the Strategic Action Plan, but are present in *The Right to be Safe*. However if few women – only 25% of those using Hafan's services, by their estimate – report abuse to criminal justice agencies, but these agencies are made responsible for collecting information on the phenomenon with a view to 'better informed policy making' (ibid: 18) there is a strong likelihood that their statistics will be incomplete. From the perspective of the SRW, the fact that women's organisations' participation was not reflected in outputs, and that this had the effect of narrowing the focus on the strategy towards criminal justice solutions which are not often used by women, means the policy solution put forward does little to challenge women's wider inequality.

It is not, then, the fact that a criminal justice discourse is used in the document that is problematic – there is certainly a criminal justice dimension to supporting victims and holding perpetrators accountable for domestic abuse. What is problematic is that the entire policy is overwhelmingly contained within a criminal justice framework. As has been discussed in the earlier theoretical chapters, domestic abuse is not a policy problem that fits neatly into one traditional, bounded policy area: it spans across

several, including health, employment, education and housing (Weldon 2002b). To largely restrict discussion of the problem and possible solutions to one area, following a more traditional model, is, therefore, to fail to confront it in its entirety.

One explanatory factor for this criminal justice focus may be that the 2005 Strategy was implemented and delivered primarily through Community Safety Partnerships – whose purpose is to improve safety through reducing crime. Actors involved in the partnerships supplied feedback during the consultation process for the 2010 Strategy would appear to have had a marked influence on its final content. Another important explanatory factor appears to be the decreased involvement of the Working Group on Domestic Violence and Violence Against Women in the drafting process for the 2010 Strategy as opposed to their role in 2005 Strategy. Where previously the working group had been very involved with the drafting of the latter, with members from Welsh Women's Aid, BAWSO and Hafan helping to write it, once it had been published the remit of the group was officially shifted to monitoring its implementation.³¹⁴ Although the group was consulted on the Strategic Action Plan, members who were representatives of women's organisations were not involved in the drafting process beyond that, and as such their influence waned. Decisions taken much earlier on in the lifecycle of Assembly domestic abuse policy, therefore, had significant consequences for later events.

This was not the only area where women's organisations input into the consultation process diverged from WAG output. As I have discussed in the previous section, women's organisations responded positively to the inclusion of a specific objective concerned with protecting children in the Strategic Action Plan. However, this positivity was tempered by criticisms relating to the gender neutral approach adopted by the WAG where initiatives to protect children and young people were concerned. In their consultation response, BAWSO suggested that whilst it was important for the proposed policy to address the effects of abuse on children, doing so within a gender neutral framework would not be effective.³¹⁵ These comments were echoed by other

³¹⁴ Minutes Working Group on Domestic Abuse, 12.09.2005

³¹⁵ BAWSO (2009) Responses to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

organisations like Welsh Women's Aid.³¹⁶ When we look at references to protecting children and young people in *The Right to be Safe*, we can see that no ostensible changes were made to the WAG's gender neutral approach. In terms of domestic abuse, consistent references are made to 'children' as opposed to boys or girls: gendered patterns or effects of abuse are not discussed (*The Right to be Safe*, 2010).³¹⁷ So, once again, women's organisations' input into the consultation process appears to have had little influence on policy output.

Groups who were critical of the fact that the Strategic Action Plan did not take a gendered approach to the effects of abuse on children and young people also criticised the Plan's broader gender neutral approach. It is the retention of the gender neutral frame for domestic abuse in the final version of *The Right to be Safe* which represents the most significant area of divergence between the claims made by women's organisations engaged in consultation and actual policy output.

One of the most major signifiers of tensions relating to gender within the strategy document is the way in which domestic abuse and violence against women are overwhelmingly referred to as discrete phenomena. One of the four key priorities of the Strategy is described as '[p]revention and raising awareness of violence against women *and* domestic abuse' (ibid: 1, emphasis author's own). By coupling the two terms together in this way the separation between them is highlighted: in this part of the document, the latter is constructed as a gender neutral issue whilst the former is explicitly gendered. Crucially, in the foreword to the Strategy the fact that the approach the WAG takes to domestic abuse – as opposed to violence against women, which inherently requires a gendered approach – will remain 'gender inclusive' is highlighted by the then Minister for Social Justice and Regeneration, Carl Sargeant, who wrote:

This approach... will maintain a gender inclusive approach to tackling all forms of domestic abuse and supporting all victims.
(ibid: 1)

³¹⁶ Welsh Women's Aid (2009) Responses to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

³¹⁷ See pages 1; 3; 6-14; 16-17; 21-22 Welsh Assembly Government, (2010) *The Right to be Safe*

Later in the document, this 'gender inclusive' framing of domestic abuse leads into an explicit construction of the subject of the victim as gender neutral, too. Just as in the Strategic Action Plan, terms like 'the victim', 'this vulnerable group' or 'citizens of Wales' are used in the section which sets out the 'strategic context' of the Strategy, thus avoiding any explicit or implicit gendering (ibid: 3).

However, there are a handful of instances in the strategy document whereby domestic abuse and violence against women are constructed as related phenomena, and this has implications for the representation of the former as a gender neutral phenomenon. Where the document sets out its 'Strategic Context', the text states that:

The Welsh Assembly Government remains committed to tackling all forms of domestic abuse and supporting all victims, however, evidence demonstrates clearly that *women are... disproportionately affected by men's violence* and the violence they experience extends beyond domestic settings... The Welsh Assembly Government therefore recognises that the domestic abuse strategy is not broad enough to tackle violence against women.
(ibid: 3)

Although the quote starts with a commitment to support *all* victims – women and men – thus constructing domestic abuse as non gender specific, the italicised section illustrates the opposite, showing how the text instead constructs domestic abuse as a gendered issue, relating it to male violence against women. However, the text also simultaneously dissociates the two phenomena by detaching gendered violence from the 'domestic setting'; in so doing space is created for the WAG to continue to run the gender neutral domestic abuse strategy alongside the gendered violence against women strategy.

The conflict between representations of domestic abuse as gender neutral – and therefore discrete from violence against women – or gendered – and therefore related – is compounded by the fact that the actions detailed within the Strategy document directed at combating both phenomena are not separated. Where the programme for

the core objective of '[p]roviding support for victims and protecting children' (ibid: 12-16) is outlined, all of the measures in the text relate to supporting both victims of domestic abuse, constructed overwhelmingly as gender neutral, and women victims of gendered violence. This merging of the policy solutions offered for the two discrete problems is the same thing that happened in the Strategic Action Plan, and it is the same thing that was criticised by most women's organisations responding to the consultation.³¹⁸ We can see, then, that as with the 2005 Strategy, the content of the 2010 Strategy strongly diverged from the claims made by the majority of women's organisations engaged in consultation over the Strategic Action Plan.

This divergence between the claims of insider and outsider actors is once again symptomatic of struggles over the meaning of equality. Those women's organisations that argued for a gendered approach to domestic abuse during the consultation period frequently represented women's wider inequality as something that is both a cause and a consequence of domestic abuse.³¹⁹ In this representation, the pursuit of equality requires that women be treated differently from men in order to achieve equal status: equality means difference. As I have discussed above, in the draft consultation document, there was at least one instance where the equality as difference frame was, in fact, adopted by the WAG. However, this was not carried over to the final version of the 2010 Strategy document, which instead reverted to the equality as sameness frame applied in the earlier 2005 Strategy. There are several instances in the text of the finalised strategy document where this approach is made very clear.³²⁰ In the section which sets out the 'Strategic Context' of the policy, the measures listed therein are set alongside existing WAG strategies and the aim of all of them together is described as 'to make communities in Wales safer and more resilient and *bring about equality of opportunity*' (ibid: 3, emphasis author's own). In spite of the fact that at other points in the document the WAG recognises that 'domestic violence affects women disproportionately' (ibid: 5), there is little in the Strategy that follows through on

³¹⁸ End Violence Against Women; Welsh Women's Aid (2009) Responses to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

³¹⁹ BAWSO; Brecknok Women's Aid; Neath Women's Aid; Torfaen Women's Aid; Welsh Women's Aid (2009) Responses to WAG Strategic Action Plan to Address Violence Against Women and to Update the Welsh Assembly Government's Domestic Abuse Strategy, Consultation Document

³²⁰ See pages 3; 8; 14 Welsh Assembly Government, (2010) The Right to be Safe

this recognition in terms of differentiating the policy responses proposed. Instead, the actions proposed to tackle domestic abuse are the same for both men and women, and so in terms of the SRW the policy solutions proposed to not recognise and seek to challenge women's inequality in wider society.

This continued adoption of the equality as sameness discourse is symptomatic of the enactment of tightly coupled new formal rules and informal norms that encourage AMs to promote equality in the exercise of their functions. Furthermore, the mutual understanding of equality as sameness is clearly a driver in the retention of a gender neutral approach to domestic abuse. Focusing predominantly on women would be read as excluding men – something that would contravene formal and informal rules requiring AMs to promote equality in all their actions. The claims of women's organisations that identified domestic abuse as a gendered phenomenon requiring differentiated responses did not, therefore, resonate with policymakers.

No documentary data was available on the specific, real world consequences of the gender neutral approach for women's organisation in the region, so I asked about this in interview. The most significant effect of the approach according to interview participants working in the sector has been confusion at the local authority level – where many of the Strategy's measures are implemented – regarding whether and how mixed- or single-sex services should be provided to victims of domestic abuse. According to their Policy and Campaign's Officer Hannah Austin, Welsh Women's Aid have had to deal with disputes between their smaller affiliate organisations and their local authorities several times. She described one of these instances in interview:

recently we had a case in ___ in ___ Wales where their supporting people, core-funding people from the local authority did them an action plan and they were saying, right, you need to be providing services to men *because you're discriminating against men by not providing services to them, we're not going to have this, we're not having you discriminating by not providing services to men*. So I had to get involved with it, and sent them a five-page letter about the equality duty and the equality act and said something about a judicial review, and then they came back and said, oh, we're really sorry and everything. So, you've

got to do that. I mean, I've never talked about men so much as I have since I've worked in the women's sector, honestly, it's nuts (emphasis author's own).³²¹

As the italicised sections in particular show, local authorities tend to follow the Assembly's lead on domestic abuse matters, and interpret equality as sameness, which puts pressure on those organisations that only provide services for women to change the way they work. In fact, Austin went on to explain that Welsh Women's Aid had recently taken the decision to amend its constitution in order to allow groups to affiliate that provide services for men and women, as it has simply been too difficult for some smaller groups on the ground to maintain a gendered approach to domestic abuse in light of local authority enforcement of the WAG gender neutral approach. As she explains in the quote below, Welsh Women's Aid felt like they were deciding whether to support groups that provided services to men and women together, or see groups disappear if they would only provide services to women:

last year in our AGM we had – previously, groups couldn't be full members of Welsh Women's Aid if they were providing services to men because it was all about women's needs, and recently we've changed that because so many local groups have had to start, because of funding pressures, and some of them are doing it as, well, why would we not say we'll provide services to men, we know we're not going to get many men and if we can only retain our women's services by saying we'll provide services to men then why not, and so Welsh Women's Aid was kind of, what do we do with that? It was basically a lot of long conversations with my boss, long, long, long conversations with her about, you know, if we allow our groups to provide services to men, would it be better for them not to exist or to be providing services to men and women? And you can't say, you're not allowed to do this, because it's their decision, if they're making a strategic decision because of where the funding is going, then, you know, you've got to let them.³²²

³²¹ Interview, Hannah Austin Welsh Women's Aid, Cardiff 26.07.2011

³²² Interview, Hannah Austin Welsh Women's Aid, Cardiff 26.07.2011.

So, even though local authorities have certainly had a role to play in this, it appears the real world implications of the NAW and the WAG's decision to adopt a gender neutral approach in spite of women's organisations' input to the contrary are significant not only for service providers, some of whom have been forced into providing services for men, but also for the women who use their services who in some circumstances have had women-only safe space lessened. In the next part of the chapter, I now turn to a discussion of policy output in Tuscany, and explore whether and how women's organisations engaged in consultation (and not engaged in consultation), had varying levels of influence.

6.2.2. Policy in Tuscany

In chapters 4 and 5 I explored the ways in which domestic abuse was represented and framed as a policy problem by both AMs and regional women's organisations during the early stages of policy development and formulation in the Consiglio, and more specifically which organisations participated in consultation sessions and what their input was. Most Tuscan women's organisations tended to frame domestic abuse as a rights issue, and from within this wider discourse to gender their representations of the phenomenon, defining women as victims of abuse and men as perpetrators. Additionally, at times some groups would adopt a social welfare frame to represent domestic abuse as a social welfare issue, but these representations would always be gendered, too.³²³ This is the same for all groups, regardless of whether they participated in consultation or not, and regardless of potential differences between the lives of the women using their services. Women's organisations' representation of domestic abuse was very similar to the way in which AMs initially represented the issue – as a gendered problem of women's rights being violated. However, this gendering framing was not retained inside the Consiglio, as representations of domestic abuse as a gender neutral problem began to be selected, reinforced and retained by some AMs and by the Giunta.

In the sections that follow I will first discuss the effects of the exclusion of particular, smaller women's organisations from consultation on the proposal for *Ir n.59 2007*

³²³ Transcript, Health and Social Policy Committee Meeting 4, 20.09.2007

Contro la violenza di genere and what their lack of influence has meant in real terms. I will then move on to explore how in spite of their direct engagement with policymakers, those women's organisations that were involved in consultation also had minimal influence over the final content of the legislation.

6.2.2.1. Regional law n.59 2007 Against Gender Violence – a lack of influence over outputs

We have seen in the preceding chapter how a particular subset of women's organisations – the smaller, more manifestly feminised groups – were completely excluded from formal and informal consultation with the Consiglio during the development of Ir n.59 2007. And whilst we can assume from this that they would struggle to have any influence at all over policy outcomes as a result, we need to look more closely at the text of the legislation itself in order to pinpoint some specific, real world consequences of their exclusion. One significant effect of their absence from any consultation process would appear to be the lack of provision made for rural women in the legislation. This was something identified as a failing by representatives of organisations located in rural areas of the region. In interview participants from the Amica Donna and Olympia de Gouges organisations in the largely rural Siena and Grosseto provinces (both laying within the northern Apennines) who were not invited to consultation processes noted how the specific problems of women suffering domestic abuse in rural areas – for example isolation compounded by poor public transport – were not effectively addressed by those organisations that had been present.³²⁴ Nowhere in any of the draft legislative proposals are the specific circumstances of rural women mentioned, and in the finalised legislation no provisions are made to tackle the specific issues they face (Ir n.59 2007 Contro la Violenza di Genere).³²⁵ The comments of Gabriela Lepri, a representative Olympia de Gouges, shown below, typify the responses of the two rural groups, with her expressing frustration at being shut out of the consultation process:

we have experience in these problems that no one else has...

³²⁴ Interview, Gabriela Lepri, Grosseto 13.07.2010; interview, Amica Donna, Montepulciano 09.07.2010

³²⁵ At this point it seems important to point out that all six of the organisations participating in consultation are situated in urban locations and five are in or close to the region's capital, Florence.

we've worked for eleven years on this, so consult us! If you want to make a law, you need to talk to domestic abuse organisations because we can tell you what you really need... you shouldn't go over our heads.³²⁶

The exclusion of smaller groups who are themselves isolated from the urban seat of regional government in Florence has, then, contributed to a failure to recognise the different experiences and challenges that women living there face. This finding appears fairly straightforward – those smaller groups that were not included in consultations and therefore struggled to represent the interests of their service users to Consiglio policymakers had no influence over policy outputs. But what of the groups that were selected to engage in consultation: were they able to exert an influence? This next section explores whether and how those women's organisations that were involved in formal and informal consultation can be seen to have had any influence over above the finalised text of Ir n.59 2007, and what the real world effects of that influence might be.

Before Ir n.59 2007 was submitted in full to be voted on, a series of draft legislative proposals were scrutinised by Consiglio Committees, by the Giunta and by those invited to be consultees (including the women's organisations discussed in the preceding chapter). The draft legislative proposals were named and numbered as Legislative proposal (pdl) n.181 2007, law on gender violence (which included domestic violence). The first full draft of legislative proposal n.181 2007 was submitted to the Consiglio on 3rd May 2007 (pdl n.181 2007a). This was the document that was drawn up by Petraglia and the informal working group, described in chapter 5, after an extended period of external, informal consultation with regional women's organisations. We can note straight away that the title of the proposed legislation, although suggesting that violence is gendered one way or another, retains a neutral frame in that it does not explicitly gender women as victims and men as perpetrators.

However, the text of the proposal challenges this surface observation. Although the subject of the 'perpetrator' continues to be constructed as non gender specific

³²⁶ Interview, Gabriela Lepri, Grosseto 13.07.2010

throughout the document, the construction of the victim is much more complex. If we consider the subject of the perpetrator first, it is interesting to note that there are no explicit references to this subject at all in the proposal; rather, all construction is implicit and comes through oppositional references to the victim. Largely, this construction is apparent through references to need to redress the victim's family life and housing situation – whilst the perpetrator is clearly constructed as a member of the victim's family, congruous with widely held definitions of domestic abuse, there is no implicit or explicit reference to their gender (Pdl n.181 2007a: Art.5.2). The victim, however, is constructed through both explicit and implicit references, and as the former diverge strongly from the latter there is a major tension in the construction of the subject. Taking the explicit references first, within the proposal the subject of the victim is always constructed as gender neutral. The document refers to the '*person* who is a victim of physical, psychological, or economic mistreatment, persecution, rape, or sexual assault' (Pdl n.181 2007a: Art.2.1, emphasis author's own). And yet, when we consider implicit references to the victim, the construction of the subject we see is gendered: the victim is a woman.

There are several ways in which the subject of the female victim is constructed, most notably through references to civil society 'domestic abuse organisations' and 'refuges' that are included in the proposal as members of a network to be created between statutory and non-statutory organisations tasked with combating gendered violence and providing care for its (gender neutral) victims (Pdl n.181 2007a: Art.2.2; Art. 5.1). Throughout the document, 'domestic abuse organisations' and 'refuges' are listed as services which will provide help for victims, and to that end, both types of service have separate articles of the legislative proposal dedicated to outlining their role in the network that the law sought to create. Article 6.1 on 'Domestic abuse organisations' is clear in stating that they are run by women, for women:

Domestic abuse organisations are managed by associations of women working in the region... who have as their goal the fight against violence against women and children, its prevention, and their support and protection. Domestic abuse organisations identify themselves as working based on relationships between women and are self-managed.

So, one of the main actors implicated in the protection of victims of domestic abuse only provides services for women.

This tension between contradictory constructions of the victim as female or the victim as non gender specific is also present in the legislative proposal's preamble, that is, the part of the document which sets out the scope and aim of the law in the context of other applicable legislation. Once again, explicit references to the victim are gender neutral: the terms 'victim' or 'person who is victim' are used interchangeably throughout (Pdl. n181 2007a: Relazioni). Furthermore, the text of the preamble specifies that the legislation

intentionally does not identify women as the only victims of sexual violence as the proposal is aimed at preventing sexual violence as a tragic phenomenon which, unfortunately, affects women, men and children. The proposal aims to protect every victim of violence.
(Pdl n.181 2007a: Relazioni)

However, in spite of these explicit non gender specific references to the victim, there are also implicit references throughout the preamble which construct the victim as a woman. Again, these come in the form of references to domestic abuse organisations, in their role as service providers for victims of abuse. As well as explaining that these organisations 'represent a resource of knowledge and professional experience concerning violence and how to tackle it, acquired over years' (Pdl n.181 2007a: Relazioni), the legislative proposal is unambiguous in stating that:

the objective of the domestic abuse organisations' work is to *increase the strength and empowerment of women* so that they can end the violence and live an independent, autonomous and free life through social rehabilitation and re-entering work. (Pdl n.181 2007a: Relazioni)

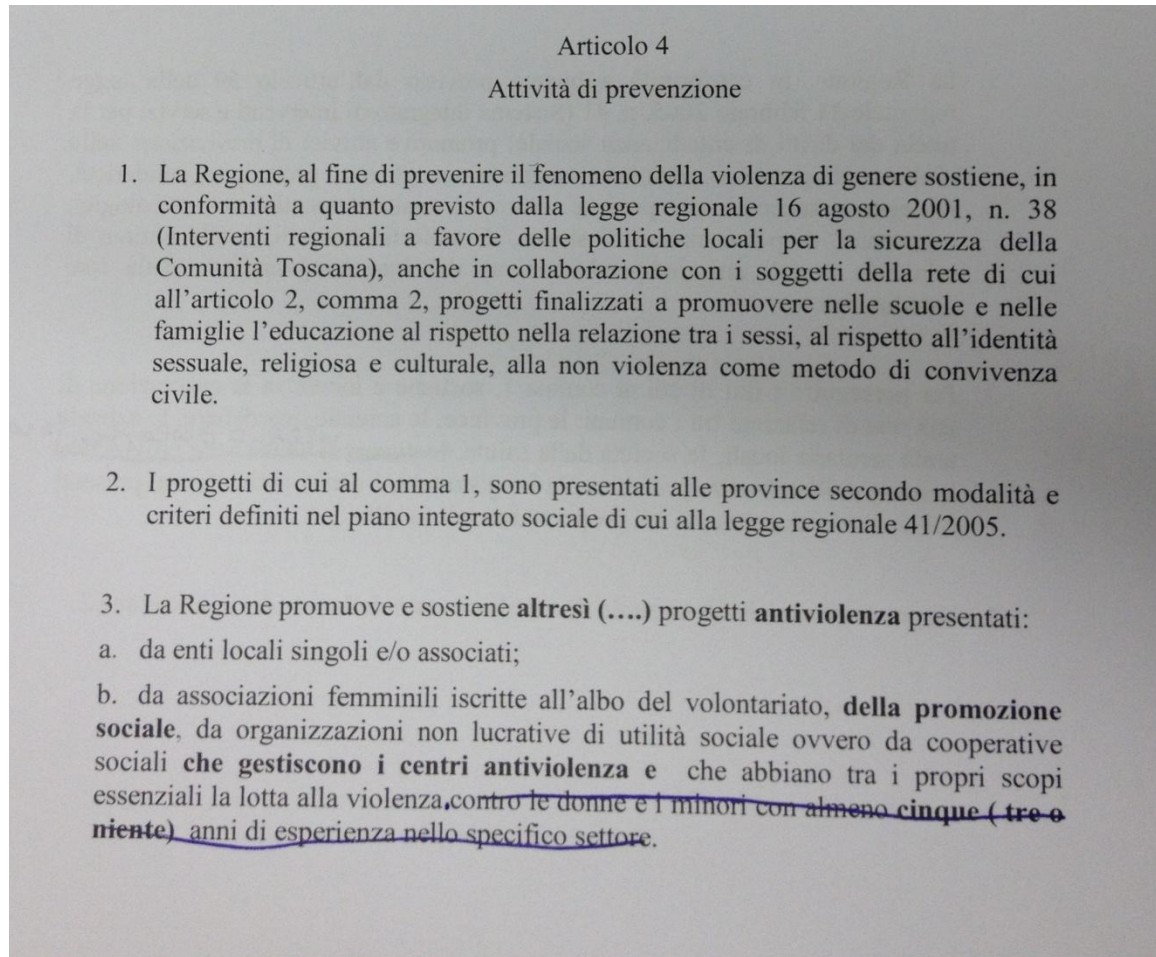
It is clear from the italicised section in the above quote, then, that the knowledge and professional experience of the women's organisations that the proposal cites as

central in tackling domestic abuse is framed by a gendered understanding of the phenomenon. This certainly conflicts with the document's explicit construction of the victim as male or female.

By the time the proposal was passed as legislation, however, many amendments had been made to the original text that removed any of the above discussed ambiguity regarding the gender of victims and/or perpetrators of domestic abuse: according to the way in which the final legislation was worded, both men and women appear equally likely to be one or the other. Documentary evidence suggests that these changes were made as the legislative proposal passed through various Consiglio committees for scrutiny and approval. After the original proposal was submitted to the Consiglio on 3rd May 2007, changes to the wording of the document were recommended by the Office of the President of the Consiglio, and signed off by Petraglia and her colleagues in June 2007.³²⁷ A re-worked proposal was then submitted to the Health and Social Policy Committee and the Institutional Affairs, Planning and Budgetary Committee, who met together to go over it in early September. Few modifications had been made to the text which altered the contradictions inherent in clashing explicit and implicit constructions of the victim; they were instead concerned with budgetary and more technical aspects of the original proposal. In terms of the former, the term 'victim', or 'person who is victim' continued to be used to describe the subject (Pdl n.181 2007b). In terms of the latter, the text from the original preamble cited above and the articles on domestic abuse organisations and refuges remained unchanged (Pdl n.181 2007b: relazioni). However, as figure 1 below illustrates, during the course of the meeting, amendments to the proposal were suggested that began to dismantle the implicit construction of the victim as female, and as a consequence to reinforce the construction of the victim as gender neutral.

³²⁷ At this stage the President's comments related mainly to funding for the legislation. Osservazioni istruttorie sulla proposta di legge in oggetto n.181, Presidente Nencini, 29.05.2007

Figure 1.



Article 3 reads:

Moreover, the Region promotes and supports (....) projects against violence led by:

- a. local agencies or associations of local agencies
- b. women's organisations on the register of voluntary organisations, social enterprises, non-profits or co-operatives that manage domestic abuse organisations and who have amongst their core goals the fight against violence against women and children with at least five (three or none) years of experience in this specific sector.

The amendments to Article 3.b. above show the removal of a significant reference to established domestic abuse organisations as services which aim to combat violence against women and children. The crossed out sentence reads 'against women and children with at least five (three or none) years of experience in this specific sector'.

The joint committees went on explain in the written opinion they issued after the meeting that this deletion related to clearing up any uncertainties of meaning in the proposal, stating that 'from article 4 and the following regulations the range of the legislation is ambiguous' (Osservazioni istruttorie sulla proposta di legge n. 181, 07.09.2007). However, we can also note that earlier in the same clause of Article 4, the expression 'associazioni femminili', meaning women's organisations, is left to stand. Furthermore, later in the document Article 6, once again entitled 'Domestic Abuse Organisations', described these groups as 'managed by women's organisations... who have as their goal the fight against violence against women and children, its prevention, and their support and protection' (Pdl n.181 2007b: Art. 6,1). So, in spite of the illustrated deletion of the explicit reference to women as victims, implicit references remained.

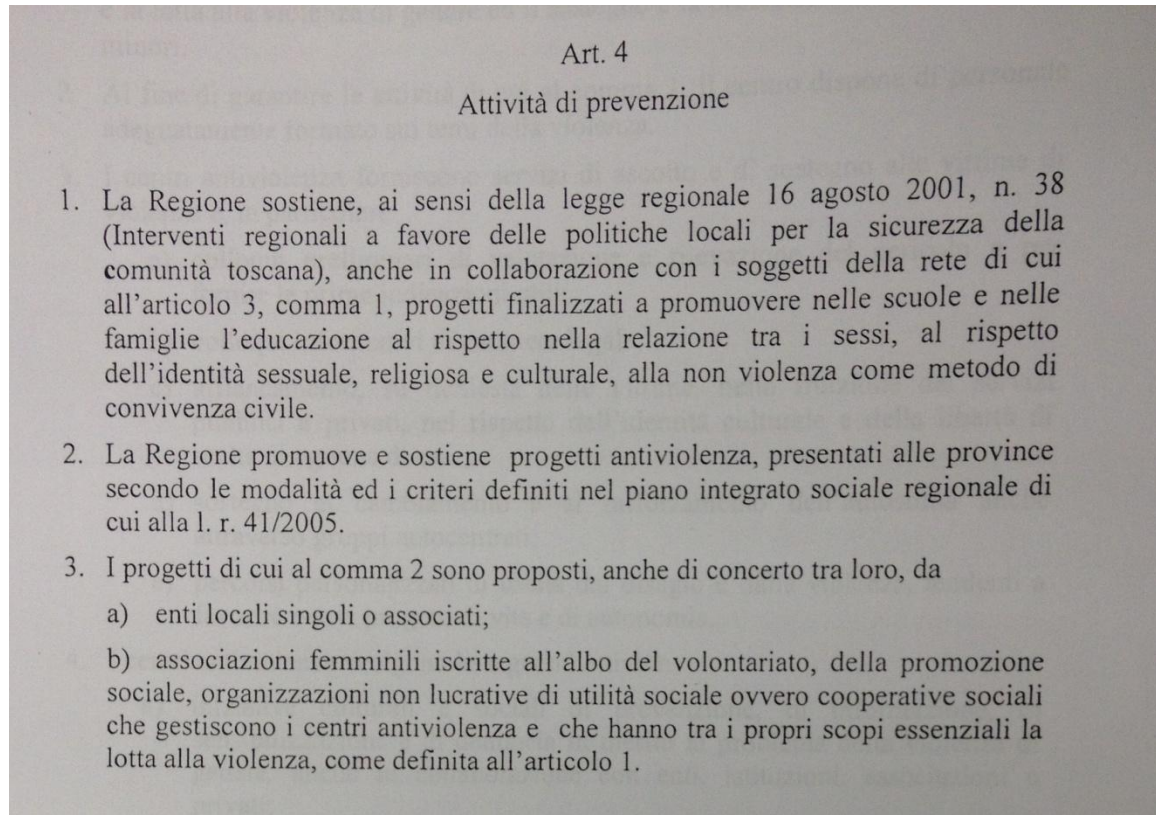
One further draft of legislative proposal n.181 was submitted to a joint meeting of the Health and Social Policy Committee and the Institutional Affairs, Planning and Budgetary Committee for scrutiny in early November 2007, before the final draft was ready to be submitted to the Consiglio for a vote. In the draft submitted to the committees for scrutiny further amendments had been made to the text of the proposal which reinforced and retained a less contradictory and more gender neutral construction of the victim. As had been the case in each of the previous drafts, explicit references to the victim were all gender neutral. More significant, however, were the changes in implicit constructions of the victim. First and foremost, where in previous drafts Article 6 – describing the roles and responsibilities of domestic abuse organisations in the region – had explicitly and implicitly constructed the victim as female, in this draft both kinds of reference were removed (Pdl n.181 2007a; 2007b). Instead of referring to women's organisations and violence against women, the text of the draft that was considered by the two committees on 12th November 2007 read as follows:

Domestic abuse organisations are managed by autonomous associations... who have as their goal the prevention of and fight against gender violence and the support and protection of victims and of minors. (Pdl n.181 2007c: Art. 6,1)

The clause that had been included in both Pdl n.181 2007a and Pdl n.181 2007b which stated that ‘domestic abuse organisations identify themselves as working based on relationships between women and are self-managed’ had been removed in its entirety (Pdl n.181 2007a; 2007b: Art. 6).

However, some explicit and implicit references to the subject of the victim as female did remain within the proposal. Regarding the former, the shift to a gender neutral construction of the victim that we have seen above in Article 6 was contradicted by the mention of the role of ‘the associations of women that manage domestic abuse organisations’ (Pdl n.181 2007c: Relazioni) and the resource that these organisations have historically provided for ‘women, and women with children’ (Pdl n.181 2007c: Relazioni) in the proposal’s preamble. And concerning the latter, within Article 4 – which sets out ‘Preventative activities’ within the proposal (Pdl n.181 2007c Art.4) – references to ‘registered women’s organisations... who have as their goal the fight against violence’ (Pdl n.181 2007c Art 4, 3b) still remain. This kind of language contrasts with the gender neutral construction of domestic abuse organisations found in Article 6. But generally, the amendments made to the main text of the legislative proposal mark a firm move towards a construction of victimhood as an entirely gender neutral phenomenon. This move was further reinforced by the instructions of the joint committee meeting to amend the legislative proposal and delete the word ‘women’s’, so that Article 4.3.b would refer only to ‘registered *organisations*... who have as their goal the fight against violence (Amendments, Pdl n.181 2007c, emphasis author’s own). The original Article 4 is shown in figure 2 below, and the proposed amendments are shown in figure 3.

Figure 2.

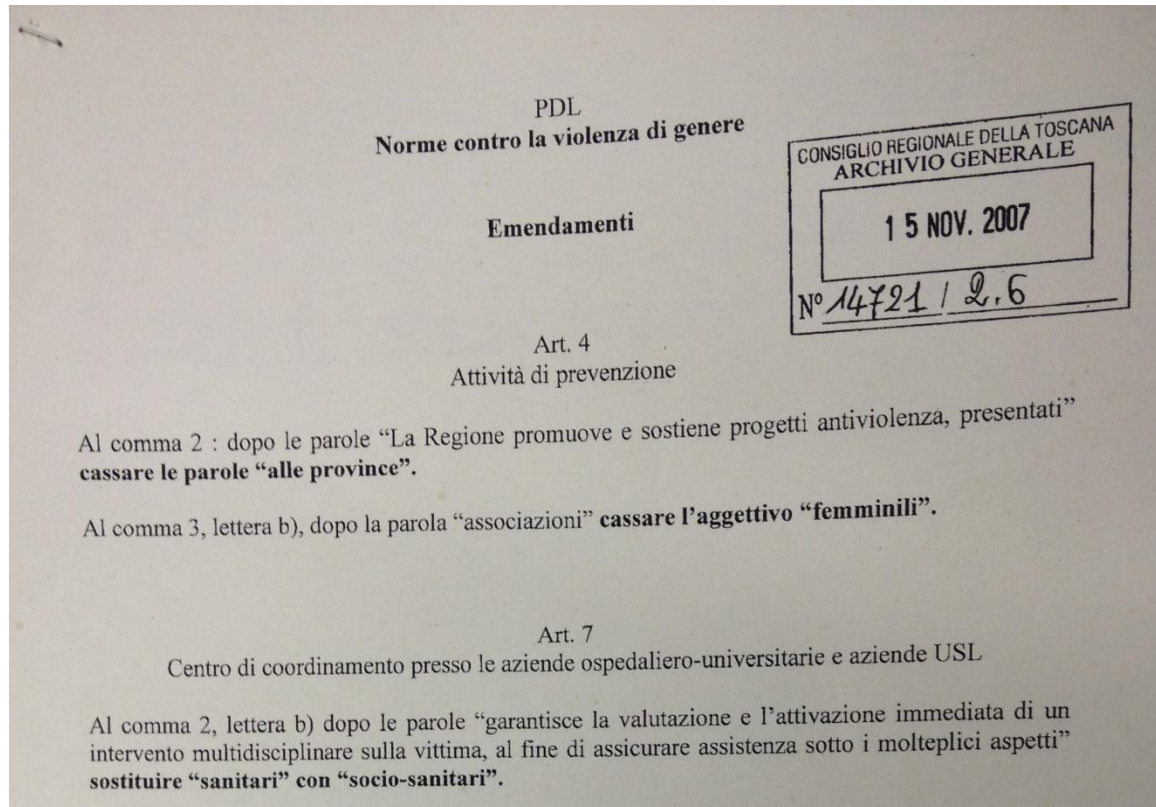


Article 3 reads:

The projects [detailed] under turet 2, are proposed, also in collaboration with one another, by:

- a. single local agencies or associations of local agencies
- b. women's organisations on the register of voluntary organisations, social enterprises, non-profits or co-operatives that manage domestic abuse organisations and who have amongst their core goals the fight against violence, as defined in Article 1.

Figure 3.



Article 4 reads:

Preventative activities

At tiret 2: after the words "the Region promotes and supports projects against violence, led by", delete the words "Provinces".

At tiret 3, letter b. after the word "organisations" delete the adjective "women's".

In the final draft of legislation that was submitted to the Consiglio for a vote on 14th November 2007, the joint committees' proposed amendments were accepted and any explicit or implicit construction of the subject of the victim as female was removed. In keeping with the earlier drafts of the legislative proposal, all explicit references to the 'victim' used gender neutral phrases. What was different from previous drafts, however, was that the implicit references to the victim as female had all been phased out. As described above, in Pdl n.181 2007c there were a handful of instances within the text whereby victims of domestic abuse were directly and indirectly constructed as female; yet in Pdl n.181 2007d there were none at all (Pdl n.181 2007c; 2007d). The suggestion to amend Article 4 of the legislative proposal made in the previous joint committee meeting – as shown in figure 3 – so that it made no reference to 'women's

organisations' as service providers was accepted, and so the text of the Article referred instead to: 'registered organisations... that manage domestic abuse organisations that have as one of their goals the fight against violence, as defined in Article 1' (Pdl n.181 2007d, Art.4,3b). Article 1, cited in the above quotation as providing a definition of 'violence', reinforces the construction of the victim as a gender neutral subject; within it, no explicit references are made to the victim, the subject is instead constructed as a neutral citizen whose human rights are violated when he or she is subjected to violent acts or the threat of violent acts (Pdl n.181 2007d, Art.1).

Similarly, in the final proposal, Article 6 on 'Domestic Abuse Organisations' reinforced and retained the gender neutral language that had previously been introduced in Pdl n.181 2007c. In a shift away from the language used in the first two draft legislative proposals submitted to the Consiglio for scrutiny, no references were made to women's organisations, or groups of women running organisations, and nor were there any references made to violence against women. Where in earlier drafts the first clause of the article had described 'associations of women' who run the organisations, in the final draft the neutral term 'workers' was preferred (Pdl n.181 2007d, Art.6,1; Pdl n.181 2007a, Art. 6,1). Furthermore, the preamble submitted with the proposal on earlier occasions was not included with the final draft and as such, the references to associations *of women* providing services *for women* that were made in previous drafts were excluded. As a consequence, the tension between constructions of the victim as female or as gender neutral that were present in earlier drafts of the proposal were completely dissolved by the time Pdl n.181 2007d was debated and voted on in the Consiglio. Overwhelmingly, implicit and explicit references throughout the text selected, reinforced and retained a construction of the victim as gender neutral (Pdl n.181 2007d).

However, the adoption of gender neutral legislation is in direct opposition to the claims made by women's organisations in the region who were engaged in both formal and informal processes of consultation. As we have seen in the preceding two chapters, every single women's organisation in the region that was involved with policy development treats domestic abuse as a gendered phenomenon, as something that affects women more so than men, and as a cause and consequence of wider gender inequality in society. It is clear, then, that whilst the participation of women's

organisations may have helped to place the policy problem of domestic abuse on the Consiglio's agenda, their direct participation in consultation had little influence over policy outputs. The further through the policy development process we go, the more and more constrained women's organisations were in acting, with twofold consequences for the SRW: first, that specific women's organisations were excluded from the beginning, meaning that their perspectives could not be incorporated into policy solutions; and second, that the policy solutions produced did not address women's inequality in wider society.

When we look closely at the progression of draft legislation, we can see this pattern clearly. Initially, as I have discussed in the previous chapter, selected organisations were involved in an informal consultation process which led to the production of a first draft of the legislative proposal. Each of these organisations works from a feminist perspective, and as such put forward the perspective that the legislation should treat domestic abuse as a gendered phenomenon. Their input into Pdl n.181 2007a is highly evident in the form of references to domestic abuse organisations as autonomous groups of women working to empower women who suffer from violence and abuse. However, interview data suggests that at these early stages there was conflict within the informal working group regarding gendering the legislative proposal. Petraglia's admission that there were struggles in the group over the title of the legislation are symptomatic of the difficulties inherent in drafting legislation on domestic abuse that would capture the attention of other legislators; as she explained:

to decide on the title [of the law]... we used discussions and meetings, because – well, the women who had been involved in 1970s feminism saw straight away that the law was entitled “gender violence”, and we had to work a lot – there's a problem as far as the language of different generations is concerned... so we discussed it with them. Of course, people who've always worked on violence against women want a law on violence against women, yes, but they have to understand, that *those who do politics, who have a political role, have to*

*know how to present everything to everyone, men and women.*³²⁸

According to Petraglia's explanation, then, there was a clash between AMs and women's organisations in terms of gendered values and role expectations. On a deeper level, we can say that this surface conflict relates to the removal of women's organisations claims for a gendered approach to domestic abuse legislation, and is symptomatic of tensions regarding informal, accepted ways of doing things between both insider and outsider actors.

6.2.2.2. Clashes between insider and outsider actors

First, let us consider the clash in values and normative role expectations between women's organisations and AMs that Petraglia's words illustrate. The italicised section of the above quote indicates that Petraglia's behaviour was strongly shaped by 'traditional' norms of representation, which, just like the norms of bureaucratic and technical working discussed in the previous chapter, set particular expectations of behaviour for those fulfilling the role of AM. According to Petraglia, during consultation, an AM should be focused on the interests of the general population as opposed to a particular sub-set: her own perception of her role was as a representative of the public interest, rather than a representative of the particular interests of women as a structural social group. And although certain formal rules have a part in structuring these role expectations – such as those in the Consiglio's Standing Orders which set out the duty of impartiality (Regolamento Interno della Regione Toscana, Art.128) – what was also significant here in shaping her behaviour (and that of other AMs) was a norm of 'traditional representativeness' (O'Malley 2004).

In 'traditional' representative democracy individual elected representatives are expected to represent the views of the breadth of their constituents regardless of their personal identity and regardless of the constituents' identities (Philips 1995). Petraglia's comments on representing 'everyone' are an explicit acknowledgement of these normative expectations for broad representation. However, the women's organisations that took part in the informal consultation meetings appear to have perceived their role quite differently. Unlike Petraglia and her colleagues whose

³²⁸ Interview, Alessia Petraglia, Florence 05.06.2010

behaviour was consistent with normative expectations to represent the general interest, women's organisations were present in their capacity as representatives of the particular interests of a specific identity group, a group of which they themselves form a part. Their perception of appropriate behaviour in the given circumstances was, of course, also shaped by norms of representativeness, but not the traditional sort that I have discussed above. Rather, these organisations tend to interpret 'representativeness' as directly related to their identity as women. This is typical of organisations in civil society whose members are organised around the particular interests of historically marginalised groups, such as women's organisations, and in their case is what is crucial for the SRW as it allows them to make claims about women's inequality as a structural social group (Phillips 1995; Weldon 2003; Young 2000).

This analysis goes some way to explaining why there was conflict between the two groups, but if we extend it further then it can also help us see why, in the end, the perception of representativeness favoured by the AMs came to dominate, and the draft legislation shifted from a gendered to a non gender specific construction of victimhood in spite of the Consiglio's consultation of and engagement with women's organisations in the region. As scholars like O'Malley have observed with reference to partnership fora between local governments and civil society organisations, 'the norm of... traditional representativeness undermines the capacity for group identities, or more particularist interests to be represented' (2004). In effect, the influence that those representing marginalised interests have over decision-making processes is limited by the norm of traditional representativeness which shapes AMs' perceptions of appropriate behaviour. In terms of the development of domestic abuse legislation in the Consiglio, as the consultation of women's organisations decreased and the involvement of policymakers increased, the framing of the draft proposal shifted further towards a broad-based representation of the phenomenon of domestic abuse and a broad-based construction of the subject of the victim.

It is important to stress here that clashes between insider and outsider groups are not symptomatic of some sort of individual failure, but rather are symptomatic of the wider, systematic difficulties of the introduction of a new, more participatory formal rule set into a much broader pre-existing bricolage of formal and informal rules and institutions

(Kenny and Chappell 2011; Mackay 2010; Newman et al 2004). New formal rules which were introduced with the intention of encouraging the participation of marginalised groups do not appear tightly coupled with the pre-existing, informal rules which shaped AMs' behaviour in this case. The same observation can also be made of the women's organisations engaged in consultation with the Consiglio: pre-existing norms, routines and perspectives undermined the new rules setting out the terms of their involvement in the policymaking process. When we look back at the preceding chapter and consider the contributions several groups made during meetings with AMs, it is clear that representatives were suspicious of the Consiglio's efforts at participation, and keen to point out that their organisations had been working for many years on their own terms, without the help of the regional government.

There is, of course, a gendered dimension to all of these clashes and tensions. I have previously discussed in chapter 5 how expectations for appropriate behaviour attached to norms of bureaucratic and technical working are highly gendered, and the same observation holds here in relation to the norm of traditional representativeness. And again, as we have seen in relation to the rule sets that structure acceptable and routine ways of working in the Consiglio, the informal, normative expectations that prescribe what Consiglio actors are required to do in their capacity as representatives and also what they are prohibited from doing privilege traditionally masculine characteristics. This is because the expectation that AMs should act in the public interest, as neutral, objective decision-makers 'reflects an emphasis on traditional masculine traits' (Chappell 2006, 227) like objectivity and calculation (Connell 1987). By contrast, and similar to the findings in the preceding chapter, traits like emotion or subjectivity embodied by most of the women's organisations participating in consultation 'are regarded as excessive and laden with bias' (Chappell 2006, 227; Connell 1987) and are therefore characteristics that AMs would seek to avoid displaying.

So, these norms relating to representation and to working practices or organisational structures all interlace to 'define appropriate actions in terms of relations between roles and situations' (March and Olsen 1989, 161). And the actions they prescribe as 'appropriate' are, then, gendered: in the context of the Consiglio's gender regime, during the development of domestic abuse policy, masculinised actions were

privileged over feminised actions – in other situations, although not here, the opposite may occur. Together, institutional norms form a gendered ‘logic of appropriateness’, a kind of framework of established routines and patterns of behaviour, which constrains certain behaviours whilst encouraging others (Chappell 2006; March and Olsen 1989). All of this has an effect on real world policy outcomes (Chappell 2006). In our case, norms privileging masculinised forms of representation over feminised forms have had the effect of shutting out women’s organisations’ claims from the policy process, some more so than others. As a consequence, policy produced by the Consiglio on domestic abuse has done little to challenge broader gender inequality which has historically been identified as a significant factor in the phenomenon (Ball and Charles 2006; Weldon 2001b).

6.3. Discussion and conclusion

Through the above discussion, we have seen how in both Tuscany and Wales women’s organisations that were not able to contribute to consultation processes had very little impact over policy outcomes, with potential real world consequences for women service users in Wales who have seen services altered to cater for men, and for rural women in Tuscany. Furthermore, even those organisations that were engaged in consultation at various stages struggled to influence policy outputs. Across both cases, the single most evident divergence between women’s organisations’ input into consultation processes and actual policy outputs relates to how the phenomenon of domestic abuse is constructed as gendered, or gender neutral.

In Wales, initial drafts of the 2005 Strategy – which groups like Welsh Women’s Aid, BAWSO, and then women-only Hafan were involved in writing – took a gendered approach. But after scrutiny inside the Assembly led to recommendations that the proposed Strategy should address men’s needs too, the final document defined domestic abuse as a gender neutral phenomenon. There are, however, multiple and conflicting constructions of the subject of the victim within the document; overwhelmingly the victim is constructed as non-gender specific, but at certain instances the victim is also constructed as female, or as male. These tensions are symptomatic of the fact that policymakers’ behaviour is shaped by tightly coupled formal and informal rules which require the promotion of equality in WAG actions, and as a consequence of normative role expectations that they should represent broad

interests as opposed to specific interests, equality is understood to mean sameness. These norms and cognitive frames continued to shape policymakers' behaviour in relation to the NAW's 2008 inquiry report, and the updated 2010 domestic abuse strategy *The Right to be Safe*, both of which retained and reinforced the gender neutral representation of domestic abuse. Most women's organisations, on the other hand, adopt a gendered representation of domestic abuse, and their behaviour is shaped by normative role expectations privileging the representation of marginalised interests: they therefore recognise equality as difference. Their claims did not, then, resonate with the Assembly, and this may be one explanatory factor as to why they were excluded from policy.

This is similar to the situation in Tuscany, where initially women's organisations had some success in influencing policy proposals. Again, although the definition of domestic abuse outlined in the first draft of legislative proposal n.181 2007 was gender neutral, the subject of the victim was repeatedly constructed as female, and the perpetrator – on occasion – male. However, as women's organisations' contact with the Consiglio decreased, and internal scrutiny of the proposal increased, the tension within the document between competing constructions of the victim largely disappeared, and in the text of the adopted legislation the subject of the victim is constructed as gender neutral, along with the discursive object of domestic abuse. The shift from a gendered to gender neutral approach is once again related to the formal and informal rules and normative expectations that shaped AMs' behaviour inside the Consiglio. This time, norms of traditional representativeness and AMs' understandings of their own role in the policy process as representatives of the broad, public interest clashed with the norms of representation which structure women's organisations' understandings of appropriate behaviour. There is, then, a subtle difference between the cases in the sense that for AMs in the NAW, the equality as sameness frame is rooted in the collective interpretation of formal rules requiring the promotion of equality which structure all of the Assembly's business. Whereas in the Consiglio, in the face of weak enactment of formal rules requiring consultation on domestic abuse policy development, individual – mostly female – AMs sought to gain traction with those that were disinterested by appealing to informal expectations for appropriate behaviour, that is to say traditional representativeness, and re-framing the problem as one affecting all citizens. The end result across both cases is that although formal rules

required AMs to consult with women's organisations on policy, informal norms structuring insider behaviour and expectations for appropriate behaviour undermined the capacity for outsider groups to make claims on behalf of a specific identity group that would resonate.

CHAPTER 7. DISCUSSION AND CONCLUSIONS: CONTINUED CONSTRAINTS ON THE SUBSTANTIVE REPRESENTATION OF WOMEN IN DOMESTIC ABUSE POLICY DEVELOPMENT

7.1. Introduction

This thesis sought to address two related research questions, both of which focused on how the SRW in domestic abuse policy has been enabled or constrained by and through specific aspects of the institutional context and relationships between actors in my case study regions. The first research question asked how formal and informal, cultural, discursive and political structures, and formal and informal links between insider and outsider actors within the assemblies affected women's organisations' opportunities to participate in the domestic abuse policymaking process, and to influence its outputs. The second research question asked about the introduction of new formal rules which commit to inclusion and equality in the policy development process, and how they are interpreted and enacted by actors whose behaviour is also shaped by pre-existing, gendered informal rule sets.

My findings show that in the two case study regions even though new formal rules that make a symbolic commitment to inclusion and gender equality exist, many women's organisations found it difficult to engage in the domestic abuse policymaking process, with even those that did struggling to have an impact on policy outputs. This is because some new and other pre-existing discursive frames and informal, normative expectations of appropriate behaviour tended to undermine statutory mechanisms designed to encourage participation, and in turn tended to limit the resonance of women's organisations' claims on domestic abuse. This tension between formal rules and informal norms relates strongly to their gendering. Scholars in the field of FPS have identified the creation of new political institutions as a critical opportunity for the de-gendering or re-gendering of the traditionally masculinised public sphere. They have hypothesised that changes in the political environment brought about by processes of devolution and decentralisation would produce legislatures 'configured in ways which would be more responsive to women's concerns, more likely to tackle structural discrimination, and in which women could play an equal role' (Mackay, 2010: 160; Chappell, 2006; Sawer and Vickers, 2010). The feminisation or gender-balancing of new rules should counter embedded, historic masculine bias in political institutions

and the wider gender order, opening up opportunities to alter the way politics is done, and also to alter policy outputs, thus enabling the SRW.

However, my thesis shows that in the case of domestic abuse policy development in Wales and Tuscany, new formal rules were only one part of a much more complicated picture. Pre-existing informal norms and discursive frames continued to privilege certain masculinised qualities and behaviours, shaping policymakers' perceptions of appropriate behaviour and the resonance of women's organisations' claims. Even though, across both cases, new formal rules made a symbolic commitment to equality and inclusion, during the development of domestic abuse policy they provided no real guarantee for greater participation by a wide range of women's organisations, and no real guarantee that even where organisations were engaged their participation would have an effect on policy outputs. Furthermore, where new formal rules were successful in encouraging formalised engagement between women's organisations and policymakers, the effects were not always universally enabling for the SRW. Greater engagement with the assemblies and particularly reliance on them for funding has meant certain women's organisations – in Wales in particular – have struggled to maintain an approach to domestic abuse which allows them to fully confront women's wider societal inequality as both a cause and a consequence of domestic abuse. Through overlapping processes of coercive, mimetic and normative isomorphism many have, willingly or otherwise, adapted their organisational and discursive structures such that they do not challenge the way in which the assemblies represent the phenomenon as a gender neutral problem affecting individuals in flawed relationships. In the case of this policy area the patterns we see across both cases do not reflect the hypothesis in the FPS literature that new institutions present opportunities for the de-gendering or even re-gendering of the traditionally masculinised political environment (MacKay, 2010).

Symbol systems matter in terms of how the SRW is enabled or constrained: they structure institutions and provide frames of meaning, making available cognitive templates which shape actors' behaviour (Hall and Taylor, 1996; Pitkin, 1967). In Wales where commitments to equality have come to symbolise sameness for policymakers some women's organisations have – generally in order to be able to continue providing services for women – altered their approach to domestic abuse in

such a way that discussion of women's inequality in wider society as a cause and consequence of the phenomenon is shut down. In Tuscany, where symbolic commitments to equality have not invoked the same powerful response as in Wales the dynamic is different, though the consequences for the SRW are similar. Policymakers' behaviour and attitudes are to a large extent decoupled from formal rules committing to inclusion and equality, which in turn has limited the opportunities regional women's organisations had to participate in the policymaking process, and to influence its outputs.

7.2. Gendered rules constraining and enabling the SRW

7.2.1. Formal rules – new statutory commitments to equality and inclusion enabling participation

In chapter 2, as well as my empirical chapters, I have highlighted the symbolic importance of new formal rules which seek to promote inclusion and equality, but also highlighted the ways in which pre-existing informal norms and discursive frames have affected their enactment. Across both cases, devolution of power from the central state level to the new sites at the regional level has resulted in the adoption of uniquely progressive statutory commitments to inclusion and equality. This includes a statutory duty to promote equality placed on the Welsh Government, as well as a statutory duty to consult, and in Tuscany the creation of an independent regional equal opportunities committee (the CRPO) which must be consulted on policy development, as well as a permanent congress of social organisations (CoPAS) which must also be consulted.³²⁹

From a gender perspective, these new formal rules represent a different set of values than those which underpin the historically masculinised public sphere. As discussed in chapter 1, when I describe politics in this way, I mean that 'political institutions are characterised by priorities, cultures and practices that privilege certain kinds of masculinity' (Lovenduski, 2005: 47-8). Most usually, the form of masculinity privileged is dominant masculinity, which Connell describes as centred on values of rationality, objectivity and calculation (1987: 131). The inclusion of non-state actors – especially from civil society – can be read (at least at the surface level) as a feminisation of the

³²⁹ See section 2.7.2, chapter 2.

practice of politics; indeed, the ‘new politics’ or ‘third way’ narrative which has underscored devolution in Wales, with its focus on the regeneration of civil society, partnership, consensus and inclusion, draws heavily upon culturally feminine values (Day, Dunkerly and Thompson, 2000). Processes of devolution in Italy, however, have been less overtly framed within these narratives, which as I have discussed in chapter 6, section 6.2.2.2, may be a factor contributing to Tuscan women’s organisations’ suspicion regarding Consiglio efforts at inclusion. Although historically civil society was seen as male, the suffrage movement and the activism of subsequent women’s movements has feminised this sphere over the course of the twentieth century, and so the increased participation of these actors – especially those representing women’s interests – can be read as feminisation (Fraser, 1996; Lister, 1997).

On the face of it, and in terms of my first research question, new formal rules concerning inclusion and the mainstreaming of gender equality appear positive. It is tempting to assume that they would provide fertile ground for the improvements in the SRW, at least on the level of enabling the participation of women’s organisations in domestic abuse policy development. However, and in terms of my second research question, as we have seen in chapters 4, 5 and 6, formal rules are not the only framework shaping actors’ behaviour, and as such their impact is not always predictable. Other, informal rules structure interactions and expectations for appropriate behaviour, inside both the Assembly and the Consiglio, and outside them amongst women’s organisation actors. That is to say, formal rules are enacted on the ground through a filter of pre-existing, normative and cultural-cognitive rule sets which ‘typically emphasise traditional values and ways of doing things’ (Leach and Lowndes, 2007: 184). As we have seen above, rule sets which privilege traditional ways of doing things tend to privilege characteristics of dominant masculinity.

7.2.2. Informal rules – discursive frames and normative expectations mediating the SRW

Across both the NAW and the Consiglio, in addition to formal rules, new and pre-existing, gendered informal rule sets were significant in shaping expectations for appropriate behaviour and structuring interaction between insider and outsider actors. Throughout chapters 4, 5, and 6, I have illustrated and analysed the dominant discursive frames and informal normative expectations inside the assemblies which

have opened up and closed off opportunities for specific women's organisations to act during the domestic abuse policy development process, and to affect its outputs.

In the Welsh case, as regards discursive frames, the dominant interpretation of equality as sameness made framing discussions of domestic abuse as a gendered phenomenon related to male dominance over women as a structural social group extremely difficult. From within this particular equality discourse the subject of the victim and the subject of the perpetrator do not have a gender, and as such domestic abuse is constructed as gender neutral. The focus instead is on flawed individuals in flawed relationships, and for the most part wider unequal power structures in society are hidden. The interaction of informal, normative expectations for appropriate behaviour inside the NAW with dominant discursive frames compounded this problem. As we have seen in the final chapter, long-standing, traditional norms of representativeness set expectations for AMs to act as representatives of general, as opposed to specific, interests. When playing by these rules, from within an 'equality as sameness' discursive framework, it was difficult for policy solutions highlighting the needs of women as a specific identity group to gain traction. And so, in spite of the number of women's organisations engaged in the policy development process that consistently raised domestic abuse as a gendered issue, policy outputs maintained a gender neutral approach.

In Tuscany, although the particular dimensions of the situation were different than in Wales, the outcomes were similar: in spite of the fact that all of the women's organisations engaged in the domestic abuse policy development process framed the phenomenon as a gendered social problem, policy output was gender neutral. As in Wales, normative expectations for appropriate behaviour constrained the actions of both insider and outsider actors. Norms of traditional representativeness made framing domestic abuse as a women's interest problematic for AMs and women's organisations alike. Only a handful of mostly female AMs pressed for action, seemingly in the face of apathy or disinterest from male colleagues within a specific gender regime where talking about women's issues was not deemed to be a universal responsibility. In addition, the more ad-hoc structure of the consultation process in the Consiglio and the limited involvement of women's organisations at the later stages of

the policy development process also had a negative impact on their ability to shape outputs, with the SRW constrained.

Furthermore, the structure of women's organisations in both regions was also significant in relation to the formal opportunities they were offered to engage with the NAW or the Consiglio during the domestic abuse policy development process. Policymakers in both assemblies favoured contact with larger, established, hierarchical organisations which could provide timely, 'objective' – and therefore in some way measurable – responses to their calls for evidence. Organisations that did not meet these criteria, that is to say organisations that did not play by these informal rules, were excluded early on in the policy development process. It is important to point out here that it is not the *in*clusion of specific groups which is problematic; it is the *ex*clusion of others. The evidence provided by organisations that were included is no less valid than evidence provided by those organisations that were excluded. However, if we turn that statement on its head, we can see that to constrain particular organisations' participation has the potential to negatively affect the SRW, since the interests and concerns of many women may not have been voiced in the policy process, and therefore had little chance of being represented in policy outputs. As we have seen in chapter 6, this was exactly the case for rural women in Tuscany. In order to stand the best chance of seeing their concerns represented, women's organisations had to play by a set of informal rules which continue to favour embedded power structures that privilege male dominance.

7.2.3. Inclusion, exclusion and relationships between insider and outsider actors

Across both cases, new formal rules encouraging the inclusion of women's organisations in the policymaking process and the way in which they are mediated through informal norms and expectations for appropriate behaviour had implications for the nature of relationships between insider and outsider actors. As we have seen in chapters 4 and 5, certain women's organisations across both regions have adapted their structures and the services they provide, in some cases in order to provide services for men, in others to 'professionalise', and usually also in order to better suit regional funding regimes.

As I have discussed in chapters 5 and 6, in Wales formal relationships between the NAW and women's organisations like Welsh Women's Aid and Hafan Cymru, in which the latter are funded to provide services for the former, appear to have contributed to a climate of coercive isomorphism, in which women's organisations have been nudged into shifting their constitutions, structures, and the services they provide in order to benefit from available funding. This issue was highlighted by interview participants representing both Welsh Women's Aid and Hafan Cymru, and as detailed in chapter 5, section 5.3.1.2, by the Chief Executive of MEWN.³³⁰ My findings show that those organisations that have not shifted their structures and frames of reference to more closely mirror the NAW's approach have suffered from difficulties in engaging with policymakers through formal consultation processes, and even where they have engaged, in influencing their outputs. However, what is also clear is that the NAW has made efforts to hold open consultation events away from the NAW building in an effort to broaden participation.

In Tuscany, a slightly different dynamic was at play. Formal links between regional women's organisations and the Consiglio were less strong. It is noticeable that during the time period this study covers no women's organisation in the region offered services for men, in spite of the ultimate framing of domestic abuse adopted by the Consiglio being gender neutral. This is not to say that some organisations in the region have not changed their structures in other ways, or that informal relationships do not connect policymakers and some women's organisations. As regards structural change, interview participants at Liberetutte were keen to stress that their organisation was not run by volunteers, but as a professional organisation working to a specific methodology and networked with others in the region through TOSCA.³³¹ Here, then, mimetic rather than coercive isomorphism provides an explanation as to why some women's organisations have changed the way they function. And as regards informal links, Petraglia's work on the draft legislative proposal on gender violence, pdl n.181 2007, was done outside of the Consiglio, alongside a handful of representatives from selected women's organisations. The interview data from Tuscany I have discussed in chapters 5 and 6 points to a lingering suspicion amongst women's organisations of the

³³⁰ Transcript, Communities and Culture Committee meeting, 05.06.2008: 16-17; Interviews, Cathy Davies, Hafan Cymru, Carmarthen 04.04.2011; Hannah Austin, Welsh Women's Aid, Cardiff 26.07.2011

³³¹ Interview, Donella Baronti, Montecatini Terme, 20.07.2010

motives behind formal efforts at inclusion by the Consiglio – but in the absence of formal contact informal networks persist based on personal and professional links between actors.

What the findings across both cases show is that as regards domestic abuse policy development, there are tensions created where value-driven, feminist women's organisations are participating in formal mechanisms based upon statutory regulatory structures. These tensions have arguably chipped away at the unique and autonomous perspectives that these organisations are envisaged to bring into the policy process in the first place. This has had consequences for the SRW in the sense that the policy solutions to tackle the problem of domestic abuse adopted in both regions do not confront women's inequality in wider society as a cause and consequence of domestic abuse.

7.3. Reflections on findings

7.3.1. Implications for theory

In chapters 1 and 2 of my thesis I reviewed the FPS literature on gender and institutional change, placing it within the context of literature analysing wider transformations in the political environment from the governance and social policy fields. In so doing I outlined particular patterns of change in terms of the opening out of the political environment, and highlighted areas in the FPS literature which remain under-explored – in particular with regard to how gendered informal institutional processes affect opportunities to improve the SRW – which I sought to address with my research questions. In this section I discuss the implications of my findings and analysis for theory-building in these areas.

The FPS literature on gender and representation provided a vital framework to elaborate on the concept of the SRW in my study, and to place it in the context of a historically masculinised political sphere. This allowed me to make the case that changes in the political environment affect women, and to outline the hypotheses of scholars in the field that devolution and the dispersal of power through new, more inclusive and participatory governing processes might better enable the SRW. In

chapter 1, I also explored some of the gaps in the literature, pointing in particular to a need for further systematic empirical research into the effects of changes in the policy process to make it more participatory on policy outputs (Carmel, 2010; Franceschet, 2011). I would argue that my focus on all stages of the policy process, from development to adoption, has helped to illustrate the complexity of the effects of change, and also to illuminate further avenues for exploration around how, even if participation in policy development is achieved, formal and informal rules can still have a constraining effect on the SRW through minimising the resonance and influence of women's organisations' claims on policy outputs. It is clear from my findings that during domestic abuse policy development the enactment of pre-existing informal rules and discursive frames had a significant part to play in this process of translation: first, informal rules continued to shape role expectations regarding who could participate, and then in turn discursive frames shaped had a profound affect on the relative influence of the claims made by women's organisations on eventual policy outputs. I would argue that my main contribution here has been to show that a framework for the investigation of SRW which focuses on both process and output can help us to better understand the multitude of interlinked factors which can enable or constrain those seeking to act for women and successfully challenge the unequal distribution of power (Carmel, 2010; Franceschet, 2011).

In addition, I would also suggest that the process-output which focuses on gender and the actions and influence of explicitly feminist civil society organisations provides insights of interest to those working in the field of governance studies which are worthy of further exploration. Focusing on how new, participative governing processes are gendered and their effect on outputs adds a further dimension to ongoing work in the field which seeks to expose and unpack the tensions inherent in increasing the participation of value driven civil society organisations, which represent the interests of specific identity groups, in governing processes which aim to develop and implement generic services (Carmel and Harlock, 2008). The focus on gender illustrates how – with regard to domestic abuse policy in these cases, and in particular with regard to women's organisations in Wales – new more participative governing processes have not provided for policy solutions which reflect constituents' concerns and challenge women's inequality, but rather those which may perpetuate it. Gendered analyses of

governing processes in other arenas or other policy areas would be a fruitful avenue for further research.

This leads me to my second and final observation on the implications of my findings for theory. In chapter 1, I had identified sociological institutionalism as providing a useful systematic framework through which I could assess and interpret actors' behaviour in the policymaking process. I think the empirical part of my thesis shows that one of the major benefits this approach offers is a way to express and conceptualise informal norms and discursive frames as informal rule sets which shape actors' behaviour. The concepts of isomorphism, coupling and decoupling have helped me to identify and explain how informal rules set expectations for appropriate behaviour, and also how they interact with formal rules and what the effects are. I would argue that for these reasons sociological institutionalism has been a useful approach for my thesis in that it has provided a way to explore the effects of new formal rules on behaviour in comparison with the informal dimension. Equally, sociological institutionalism's focus on informal norms and discursive frames provided a framework through which the enactment of gendered processes and practices could be systematically examined. As outlined in chapter 1, formal political institutions have evolved in a wider context or gender order where socially produced distinctions between masculine and feminine shape expectations around the sorts of behaviour that are most valued – with men and masculinised traits historically privileged over women and feminised traits (Acker, 1992; Connell, 1987). Sociological institutionalism provides a framework for the analysis of meso-level gender regimes which can be tied back to this wider gender order. The approach does, however, present some methodological challenges which I will go on to discuss in the next section.

7.3.2. Methodology, methods and research design – implications of my choices

In chapters 1 and 2 I discussed some of the challenges FPS approaches present in terms of conducting empirical research, in particular the fact that they must confront the perennial problem of exploring relationships between structure and agency, between context and behaviour. My research questions are explicitly focused on how formal and informal aspects of institutional context, and the way in which they are processed and interpreted, shape and influence actors' behaviour, in turn enabling or constraining the SRW. This focus on the relationships between individual actors'

perceptions of appropriate behaviour, the immediate institutional context, and wider social processes led me to adopt the methodology and methods I did, to select the case study regions I did, to adopt a process-output research design, and in turn to focus on the policy area of domestic abuse. In this section, I will consider the implications of each of these choices in turn.

First, on methodology and methods, in chapters 1, 2 and 3, I identified both formal and informal structures as of great significance in shaping actors' behaviour, and reviewed literature on the ways in which underlying values and meanings can shape rules, norms, and expectations for appropriate behaviour. As explained in chapter 1, institutions provide cognitive templates which shape behaviour by specifying not only directly what appropriate behaviour looks like in a given context, but also what an actor imagines to be appropriate behaviour in that context (Hall and Taylor, 1996). It was this focus on the cognitive dimension, on the relationship between meaning and action that led me to adopt a CDA approach for my empirical work. In addition, I chose CDA as a methodological approach given its compatibility with the normative aims of my thesis, and its potential to illuminate the relationships between the use of particular discourses in my case studies and wider social processes of inequality between men and women as structural social groups.

For the most part, I would argue that using CDA has benefitted my analysis. In terms of the normative aims of my project to address and better understand factors enabling or constraining the SRW, a CDA approach helped me to identify and explore individual power relationships between women's organisations and policymakers in their specific institutional contexts. In addition, it has also allowed me to make some links with wider unequal power relationships that perpetuate women's inequality, as with the exploration of discourse on domestic abuse as an issue affecting flawed individuals and their families, rather than as a cause and consequence of male dominance in wider society. I think that further research in the field of FPS which seeks to place empirical analysis of more micro institutional interaction and processes within the context of wider societal gender dynamics would benefit from a similarly systematic CDA approach given its explicitly critical and transformative foundation.

Of course, given that my data is time-bound, that it relates to two case studies and one specific policy area, the links I have been able to draw are tentative and would benefit from further exploration before more generalisable conclusions could be drawn about the opportunities new regional institutions open up to challenge women's under-representation in the formal political sphere. Furthermore, the meanings of the data I have analysed in chapters 4, 5, and 6 are not fixed, and as such my analysis represents only one interpretation. As critics of the approach have observed, CDA does require something of a 'leap of faith' in order to connect an analysis and understanding of discursive frames and the processes they set in train to wider societal processes and how they might, or should, be altered to achieve different outcomes (Hammersly, 1997: 242). However, I would argue that my use of Willig's systematic method of documentary analysis, in particular when examining the documents relating to the policy development process and most obviously in chapter 4 with my discussion on problem representation, has at least provided transparency in terms of how I have reached specific conclusions (Willig, 2001). That is not to say that the task was straightforward, especially given the volume of documentary material I analysed. Even so, I was only examining documentation relevant to the domestic abuse policy development process, and as such there are limits on the conclusions that I am able to draw in relation to wider policymaking processes across both assemblies.

I also conducted interviews with key actors in order not only to fill any gaps in the documentary data, but to triangulate my analysis with the perceptions and perspectives of those who had actually engaged in the policy development process. I would argue that this worked well within my analysis – especially in terms of the triangulation point, where in Wales in particular my interpretation of debates around understandings of equality as sameness and its effects on the development of domestic abuse policy overlapped with the interpretations put forward by insider and outsider interview participants. However, the fact that I was not able to interview most of the women's organisation actors or AMs involved in policy development means I have not been able to provide a full picture of their experiences against which I could assess my analysis.

Second, on my adoption of a comparative, case study research design, I would argue again that it offered benefits for my study in terms of offering new insights, although these are tempered by their context specificity, a recurrent issue in much case study research. In terms of new insights, my rationale for selecting the two case study regions was their status as critical cases which I hope would provide insights of interest in relation to the broader issue of how the SRW is enabled or constrained by institutional contexts, processes and structures (Flyvbjerg, 2007). Given their similar and advanced formal commitments to inclusion and equality, my aim was to explore how the gendered informal institutional context enabled or constrained the SRW and look for patterns across cases that would allow me to draw some wider conclusions, worthy of further exploration.

I did find certain patterns that held across both Wales and Tuscany – in particular the fact that smaller, less well-resourced women's organisations that were more overtly radical in their framing of domestic abuse were constrained in participating in the policy development process by informal norms and discursive structures. However, my data also showed differences across cases – especially with regard to the gender regimes of the assemblies, and the way in which some women's organisations in Wales began to shift their framing of domestic abuse and alter their service provision structures in a way that women's organisations in Tuscany have not. These differences make it difficult for me to draw clear cut conclusions which hold for both cases on the extent to which the persistence of wider embedded, gendered informal institutions in the gender order might undermine the enactment of new formal rules committing to inclusion and equality in other new regional governing sites. A further issue which I would need to better explore in order to draw firmer conclusions on specific dimensions of the institutional context in constraining (or enabling) the SRW in this policy area are the relationships between regional, central and local government. These relationships form part of the wider institutional context in which my case study assemblies are nested, and my data shows that each of the different levels does have role to play in policy development and implementation, though I have not been able to examine this in detail for reasons of space and capacity.

As I have discussed in chapter 3, section 3.4.2, I also experienced some practical difficulties with my choice of case studies, in particular in terms of gaining access to

the Consiglio. I had hoped to conduct observation of plenary sittings and committee meetings there whilst undertaking fieldwork in Tuscany. However, in spite of repeated efforts to contact officials through diverse means – emails, letters, phone calls, using contacts I had already established as conduits, or simply turning up when I knew a meeting was due to take place and attempting to gain access – I struggled. This was a major disappointment for me, as I think empirical data regarding the less tangible, everyday interactions between policymakers themselves, and policymakers and civil society organisations would have added an extra dimension to the project, helping to provide a clearer understanding of how new formal rules, informal norms and discursive frames enable or constrain opportunities for action. Indeed, within FPS I would argue that there is real scope for further use of ethnographic methods which involve observation of everyday processes in formal political institutions, in order to provide knowledge which can help us better understand how these structures are gendered and what effects they have on actors' behaviour. Nonetheless, I would argue that the data I collected through documentary research and interviewing key actors provided rich material for my analysis, and was the best option for a project with a retrospective focus on policy development processes that had been completed in both regions.

Third, as regards the process-output approach, in chapters 1 and 2 I discussed the difficulties of capturing data on substantive representation which comprises both process and output dimensions, and explored how the FPS literature has tended to conceptualise of the SRW. I pointed in particular to the differences in tone of the conclusions drawn from studies which focus mostly on the process dimension, which tend to be more positive about the prospects new institutions offer for improving the SRW, and those drawn from studies which focus on the output dimension, which tend to be more negative about the opportunities new institutions offer to shift embedded gender inequality (Franceschet, 2011; Mackay, 2008; McAllister, 2006; Vickers, 2011). This is what led me to adopt a research design which focused not only on the relationship between institutional context and actors' behaviour throughout the policy process, but also on how these relationships affected policy outputs. As I have discussed above, I would argue that my research demonstrates the value of a process-output approach for empirical research in FPS. It allowed me to capture richer detail on the effects of changes in political architecture on the SRW in this policy area,

in these two regions. I have been able to show that whilst the increased participation of women's organisations in the policy development process presents a positive picture, there are limits to the benefits new, more participatory decision-making processes bring. In particular these new processes do not guarantee influence for women's organisations over policy outputs, and as such they still lack the capacity to alter wider unequal power relationships through securing new policy solutions. This is not to say that such an approach was free from problems, and the primary one for me was its scope. Gathering data on the whole policy development process and the actors involved from its beginnings to the point at which the policy is finalised represents a huge task. It is for that reason that I chose to adopt a policy case study approach, which brought its own challenges, although also some benefits.

The challenges of analysing data from one specific policy area were similar to those I have discussed above in relation to my use of the case study method and my selection of the NAW and the Consiglio. First, the selection of domestic abuse policy makes generalising on the basis of my conclusions to other policy areas difficult, if not impossible. I cannot claim on the basis of my findings that the constraining effects of gendered informal institutional norms and discursive structures on the SRW during domestic abuse policy development would be mirrored where, for example, education or social housing policy were concerned. For this reason I would need to explore policy development in other areas before being able to argue that the gender regimes of the NAW and the Consiglio would tend, as a general rule, to support and uphold the status quo in terms of male dominance in wider society in any policy development process, therefore constraining the SRW. Indeed, Vickers has asserted that the impact of institutional architecture on the development of women friendly policy outputs varies depending upon the type of policy under examination (2011). As such, although I would maintain that my findings provide new insights of interest to scholars in the field of FPS – particularly with regard to the way in which they show how women's organisations at the more radical end of the spectrum in this policy area remain excluded from new, more participatory policymaking processes – I would also argue that further exploration of a variety of policy areas represents an interesting avenue for further research.

7.3.3. Implications for policy

In chapter 1 I explained that one of the main aims of my thesis was to contribute to the wider FPS project – that is to say that I wanted to better understand how opportunities for actors making feminist claims could be advanced, and to better understand how these claims can affect change. In this regard, I would argue that my thesis has made two main contributions. The first is to show policymakers and women's organisations alike that, as far as domestic abuse policy is concerned, new formal rules which undoubtedly seek to encourage greater participation are not necessarily enacted in a way that allows all organisations to benefit. And the second is to show that even where organisations secure participation, this is not necessarily equal to influence.

In terms of the ways in which different women's organisations were enabled or constrained in participating, across both Wales and Tuscany it appears that smaller women's organisations that relied on volunteers, and were less able to make claims on the policy problem of domestic abuse in terms that resonated with the dominant discourses inside the two legislatures, were constrained in participating in the policy process. This clearly had an impact on their influence over policy outputs. But even those organisations that were more engaged in policymaking processes struggled to influence policy outputs as a result of differing interpretations and constructions of the policy problem. These two issues together can have a real world impact on women's lives, as for example in Tuscany, the exclusion of rural women's organisations meant that the particular issues faced by their service-users were not addressed in the eventual policy adopted, or in Wales where women's organisations have altered the services they provide in order to fit with the NAW's interpretation of equality as sameness.

Although there are no straightforward solutions to these issues, if the objective of more participatory decision-making practices is indeed to produce policy which better meets constituents' needs, it does seem vital for policymakers to understand the introduction of new formal rules which encourage participation is not in and of itself enough, when these rules are experienced differently by different organisations, and they do not guarantee influence. The key constraining factors on the participation and influence of smaller women's organisations in particular, but also for larger organisations were at once material – namely time and capacity – and cultural – namely the resonance their

claims achieved with policymakers. If we think first and foremost about the future development of domestic abuse policy and what both legislatures can do to engage the full range of relevant regional women's organisations, it is clear that some of the new, formal mechanisms for inclusion and engagement are not having the desired effect.

As regards material issues, interview participants across both regions from small organisations (usually based outside of their capitals) expressed their frustrations that consultation events – were they to be invited – would generally require a day or more away from work, which was a time and travel commitment they were unable to give.³³² In order to improve this, AMs from the Consiglio and the NAW alike could consider holding open events in harder to reach places away from their buildings, or even specific visits to organisations in isolated locations, or those with small numbers of staff. This is something that the NAW began to do with the Communities and Culture Committee's 2008 inquiry into Domestic Abuse in Wales, and the efforts of the AMs involved were recognised by women's organisations like the DASU in north Wales as really beneficial for them.³³³

More widely, this sort of contact between women's organisations and policymakers on the former's 'turf' might also go some way to helping ease the cultural constraining factors affecting women's organisations' engagement, promoting a better understanding amongst policymakers of what it is that these women's organisations do, and what they aim to achieve. Moreover, it is not something that women's organisations need to wait to make happen: whilst it would certainly take time and effort to organise, they can invite AMs to visit their centres without needing this to be linked to a specific policy development initiative. This lack of contact or understanding was something noted by women's organisations across both regions, with interview participants like Gabriella Lepri explaining that the Consiglio was not interested in the work they did,³³⁴ and contributors to the NAW's 2008 inquiry pointing out the gaps in AMs' understanding, as Mutale Nyoni of BAWSO did: 'Not all outcomes are measurable. Some are intangible: sometimes you look at the face of a woman and she

³³² Interviews, DASU, 14.06.2011; Amica Donna, Montepulciano 09.07.2010; Gabriella Lepri, Grosseto, 13.07.2010

³³³ Interview, DASU, 14.06.2011

³³⁴ Interview, Gabriella Lepri, Grosseto, 13.07.2010

is smiling and then you say, "That is it; we have done it".'³³⁵ A greater focus on and understanding of the fact that women's organisations, and even civil society organisations more broadly, cannot be grouped together as a straightforward block would clearly help to encourage this kind of contact.

All told, what is very clear from my findings is that in spite of the introduction of new formal rules aimed at the inclusion of civil society organisations, where domestic abuse policy is concerned gendered informal rules and discursive frames persisted across both the NAW and the Consiglio, constraining the SRW. In this policy area, there was a lack of understanding between women's organisations and policymakers across both regions which must be addressed if progress is to be made, not only on the issue of domestic abuse, but also on wider women's inequality.

³³⁵ Transcript, Communities and Culture Committee meeting, 19.06.2008: 24

APPENDIX A. SEMI-STRUCTURED INTERVIEW GUIDES

I used four different semi-structured interview guides during interviews with participants:

1. for interviews with insider actors including AMs and secondees in Wales;
2. for interviews with insider actors including AMs and regional government representatives in Tuscany;
3. for interviews with women's organisations as outsider actors in Wales;
4. for interviews with women's organisations as outsider actors in Tuscany.

1. The insider actor guide for Wales was structured as follows:

A. Opening

- Thanks. Explanation of research.
- Consent form, option of anonymity.
- Copy of the transcript will be made available.
- Explain structure, start with general questions around NAW action on domestic abuse, then specifics on 2005 strategy, 2008 inquiry, 2010 strategy. Will ask about personal role.

B. Questions

- Perception of Welsh action on domestic abuse.
- Impetus for 2005 strategy.
- Impetus for 2008 inquiry.
- Impetus for 2010 strategy
- Insider actors involved
- Identification of consultees – written and oral
- Views on consultation responses, how incorporated into strategies and report
- Contact with domestic abuse organisations
- Views on gender neutral approach to domestic abuse
- Personal role, interest and actions on domestic abuse policy
- Relations with WAG
- Relations with central government

C. Close

- Any questions for me
- Thanks.
- Explain timetable, can send report if would like to see
- Ask if would recommend other contacts and how to approach.

2. The insider actor guide for Tuscany was structured as follows:

A. Opening

- Thanks. Explanation of research.
- Consent form, option of anonymity.
- Copy of the transcript will be made available.
- Explain structure, start with general questions around Consiglio action on domestic abuse, then specifics on development of 2007 law. Will ask about personal role.

B. Questions

- Perception of action in Tuscany on domestic abuse.
- Impetus for 2007 law – earlier efforts as parts of social and health law.
- Insider actors involved
- Identification of consultees – written and oral
- Views on consultation responses, how incorporated into draft legislation
- Contact with domestic abuse organisations
- Views on gender neutral approach to domestic abuse
- Personal role, interest and actions on domestic abuse policy
- Relations with Giunta
- Relations with central government

C. Close

- Any questions for me
- Thanks.
- Explain timetable, can send report if would like to see
- Ask if would recommend other contacts and how to approach.

3. The outsider actor guide for Wales was structured as follows

A. Opening

- Thanks. Explanation of research.
- Consent form, option of anonymity.
- Copy of the transcript will be made available.
- Explain structure, start with general questions about organisation, then discuss contact with NAW and WAG, and engagement with development of 2005 strategy, 2008 inquiry, and 2010 strategy.

B. Questions

- Establishment of organisation, goals of organisation, personal history with organisation.
- Organisational change over the years, drivers.
- Relationship with other women's organisations in Wales or further afield.
- Services offered and service users, who are they.
- Definition domestic abuse.

- Funding and staffing.
- General situation across Wales, improvements or not. Differences in service provision according to factors like age, geography, ethnicity.
- Support from WAG and NAW.
- Contact with WAG and NAW.
- WAG Working Group on Domestic Abuse - influence.
- Engagement in 2005 strategy, 2008 inquiry, 2010 strategy – influence.
- What did strategies do well, what less well.

C. Close

- Any questions for me
- Thanks.
- Explain timetable, can send report if would like to see
- Ask if would recommend other contacts and how to approach

4. The outsider actor guide for Tuscany was structured as follows:

A. Opening

- Thanks. Explanation of research.
- Consent form, option of anonymity.
- Copy of the transcript will be made available.
- Explain structure, start with general questions about organisation, then discuss contact with Consiglio and Giunta, and engagement with development of 2007 law.

B. Questions

- Establishment of organisation, goals of organisation, personal history with organisation.
- Organisational change over the years, drivers.
- Relationship with other women's organisations in Tuscany or further afield.
- Services offered and service users, who are they.
- Definition domestic abuse.
- Funding and staffing.
- General situation across Tuscany, improvements or not. Differences in service provision according to factors like age, geography, ethnicity.
- Support from Consiglio and Giunta.
- Contact with Consiglio and Giunta.
- Contact with CRPO, views on function.
- Engagement in development of the 2007 law – influence.
- What law does well, what less well.

C. Close

- Any questions for me
- Thanks.
- Explain timetable, can send report if would like to see
- Ask if would recommend other contacts and how to approach

APPENDIX B. INTERVIEW PARTICIPANTS, DATES, CONSENT FORMS

In Wales in terms of insider actors I interviewed three AMs and two secondees to the WAG civil service:

Dai Lloyd, Cardiff, 22.03.2011

Mark Isherwood, Cardiff, 07.04.2011

Two secondees to the WAG civil service, names withheld, Cardiff, 11.04.2011

Male AM, name withheld, Cardiff, 14.04.2011

And in terms of outsider actors I interviewed representatives from three women's organisations:

Cathy Davies, Hafan Cymru, Carmarthen, 04.04.2011

DASU, Deeside, 14.06.2011

Hannah Austin, Welsh Women's Aid, Cardiff, 25.07.2011

In Tuscany in terms of insider actors I interviewed three AMs:

Female AM, name withheld, Florence, 17.06.2011

Alessia Petraglia, Florence, 05.07.2010

Federico Gelli, Pisa, 14.07.2010

And in terms of outsider actors I interviewed representatives from four women's organisations:

Centro Antiviolenza, Livorno, 05.06.2010

Gabriela Lepri, Associazione Olympia de Gouges, Grosseto, 13.07.2010

Amica Donna, Montepulciano, 09.07.2010

Donella Baronti, Liberetutte, Montecatini Terme, 20.07.2010

I used the following consent forms for all actors:

CONSENT FORM:

Name of researcher:

Name of participant:

Location of interview:

In signing this form, I give my consent for the above named researcher to use the data obtained in interview in her PhD thesis and associated papers or publications, to be available in the public domain. The researcher will in turn abide by the following conditions:

- **Participant may opt-out at any stage in the project.** The participant is under no obligation whatsoever to answer any interview questions that they are not comfortable with, and is free to withdraw their participation from the research project at any time by informing the researcher.
- **Participant to be guaranteed anonymity if desired.** When results are disseminated, participants will be identified within the thesis or paper either by name, or by gender and organisation only which will not compromise the anonymity of the participant.
- **Data to be stored securely.** All data will be accessed only by the above named researcher, with audio files of interviews stored on computer and available only to the researcher via password.
- **Participant to be shown transcript if desired.** When the transcript of the interview is ready, the participant will be sent a copy and given the opportunity to edit it if this is desired, removing or altering any elements that they do not wish to be used in the final thesis or paper. The edited transcript must be returned to the researcher within two weeks. The researcher guarantees that any alterations to transcripts returned within two weeks will be respected in the final thesis or paper.
- **Participant to be provided with abstract of the final thesis if desired.** When the final thesis is complete, the researcher will send the participant a copy if requested.

Date:

Signed:
Researcher

Participant

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